

\$~15 (2021)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of decision: 18.11.2021

+ **CONT.APP.(C) 13/2021**
MAYANK BHASIN

..... Appellant

Through : Mr Vanshul Pali, Advocate.

versus

SHIKHA BHASIN

..... Respondent

Through : Mr Praveen Suri, Advocate.

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MR JUSTICE TALWANT SINGH

RAJIV SHAKDHER, J.: (ORAL)

[Physical Court Hearing]

CM APPL. 40975/2021

1. Allowed, subject to just exceptions.

CM APPL. 40973/2021

2. For the reasons given in the application, the delay is condoned.

2.1. The application is, accordingly, disposed of.

CONT.APP.(C) 13/2021 & CM APPL. 40974/2021*[Application filed on behalf of the appellant for interim relief]*

3. This is an appeal preferred against the order dated 22.09.2021, passed by the learned single judge in CONT. CASE(C) 366/2021.

4. We have heard the learned the counsel for the parties at some length.

4.1. After some arguments, Mr Vanshul Pali, counsel for the appellant, says, on instructions of the appellant that the balance amount payable to the

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Signing Date: 23.11.2021 Cont. App (C) 13/2021

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respondent under the Memorandum of Settlement (MoS) dated 25.05.2019, shall be duly paid to the respondent, on or before 31.01.2022.

4.2. It is not is dispute, that the balance amount payable by the appellant to the respondent is Rs. 35 lakhs.

4.3. Mr Praveen Suri, who appears on behalf of the respondent, says that the respondent will be satisfied, if the said amount is paid on or before the date stated above i.e., 31.01.2022.

5. We may note that we had passed over the matter when it had come up in the first round, to enable Mr Pali to obtain instructions from the appellant.

5.1. The aforementioned statement made by Mr Pali in the second round, has been made after obtaining instructions from the appellant.

5.2. The appellant is directed to file an affidavit of undertaking given by the appellant that the stand taken before us today, i.e., Rs. 35 lakhs will be paid to the respondent on or before 31.01.2022, will be complied with.

5.3. This affidavit will be filed by the appellant, within one week from today. A copy of the said affidavit will also be furnished to the respondent.

6. Counsel for the parties also assure the Court that both the parties would comply with the terms of the MoS dated 25.05.2019, arrived at between the parties.

6.1. The learned single judge's order dated 22.09.2021 is, thus, suspended, till 31.01.2022.

7. In case there is a breach of the directions issued today, the contempt petition would revive and the learned single judge will, thereafter, proceed further in the matter.

8. The appeal is disposed of, in the backdrop of the statement made by Mr. Pali.

8.1. Consequently, pending applications shall also stand closed.

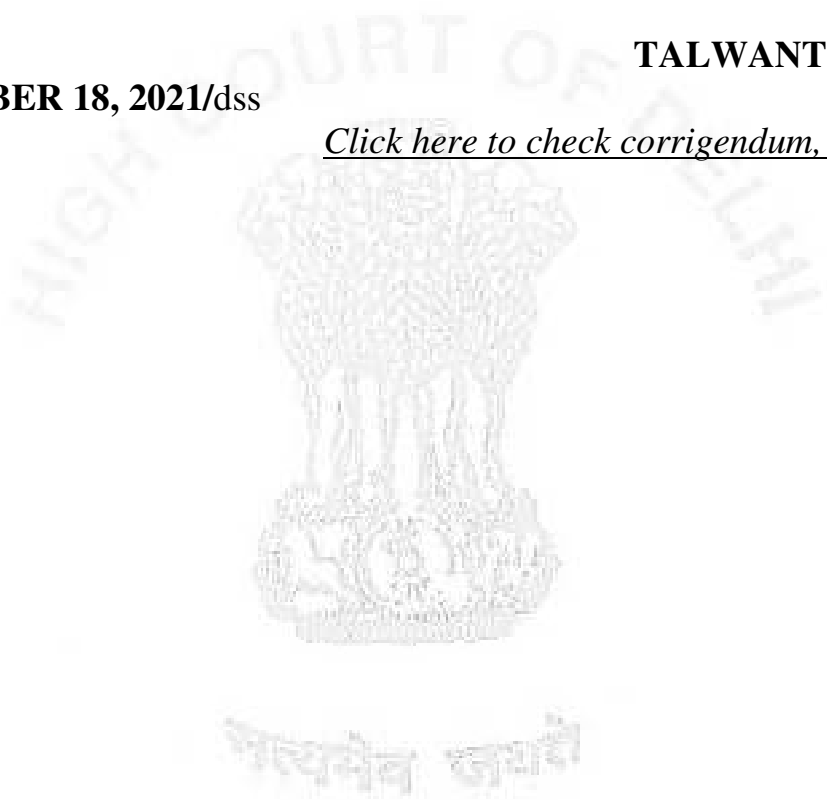
9. The case papers shall stand consigned to record.

RAJIV SHAKDHER, J

TALWANT SINGH, J

NOVEMBER 18, 2021/dss

Click here to check corrigendum, if any



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