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

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Judgment delivered on: 10.08.2021

+ FAO 189/2016

ANIL SHARMA

..... Appellant

versus

KOTAK MAHINDRA PRIME LTD

.....Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Dhruv Chawla with Ms. Anita Kumari and
Ms. Divita Dutta, Advocates.

For the Respondent: Mr. Sundeep Srivastava, Mr. Paran Kumar
Srivastava, Advocates.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL.25330/2021 & FAO 189/2016

1. The hearing was conducted through video conferencing.
2. This is an application on behalf of the appellant under Order XIII Rule 3 CPC seeking to place on record a settlement between the appellant and respondent with regard to the award passed by the Arbitral Tribunal.
3. Learned counsel for the appellant submits that appellant has paid a sum of Rs.35,000/- in full and final settlement of the subject

FAO 189/2016

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loan account with the respondent. Learned counsel submits that on payment of the said amount, nothing is further due from the appellant.

4. Learned counsel for the appellant submits that the respondent be also directed to furnish a no objection certificate.

5. Learned counsel for the respondent also confirms that full and final settlement amount has been paid by the appellant and now there is nothing recoverable from the appellant with regard to the subject loan account and the award.

6. Appellant had taken a personal loan from the respondent in the sum of Rs.10 lakhs. There were certain disputes which were referred to the Arbitral Tribunal. Arbitral Tribunal passed an award against the appellant on 19.10.2012. Objections against the award were dismissed by the impugned judgment dated 17.07.2015.

7. Learned counsel appearing for the respondent submits that a no objection certificate shall be issued expeditiously.

8. The Statement is taken on record.

9. Since the parties have settled their disputes and full and final settlement amount has been paid and now nothing is due and payable by the appellant to the respondent, accordingly it is recorded that the award dated 19.10.2012 stands satisfied.

10. In view of the satisfaction of the award dated 19.10.2012, this

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appeal does not survive any longer. The appeal is accordingly disposed of as infructuous.

11. Next date of 12.08.2021 is cancelled.

12. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

AUGUST 10, 2021/rk **SANJEEV SACHDEVA, J.**

