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

+ **RFA(COMM) 46/2024 & CM APPL. 8393/2024**

MAHABIR SINGH

..... APPELLANT

Through: Mr Ramashanker, Mr Shivam Garg
and Mr Manu, Advocates.

versus

M/S EXCEL PACK PVT LTD & ANR.

..... RESPONDENTS

Through: Mr Rishabh Kapur, Advocate for
respondent no.1

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

27.03.2024

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1. This appeal is directed against the judgment and decree dated 29.11.2023 passed by the District Judge, Commercial Court-06, South-East, Saket Court, Delhi.

2. After some arguments, and upon taking instructions from their respective clients, counsel for the appellant and respondent say that the appeal can be disposed of based on the following agreed terms:

i. The appellant will pay a consolidated amount of Rs.6,40,000/- to the respondent within the next eight (8) weeks, commencing from today.

ii. In case the appellant fails to make the aforesaid payment within the timeframe given above, the appellant will be liable to pay the entire decretal amount to the respondents.

iii. The appellant will file an undertaking with this Court in the form of an affidavit. The affidavit will state if the amount is not paid by the appellant in the

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the timeframe given above, he shall pay the respondent the entire decretal amount.

3. The affidavit will be filed within the next seven (7) days. A copy of the same will be furnished to the counsel for the respondent.
4. The appeal is disposed of in the aforesaid terms.
5. Consequently, the pending application stands closed.

RAJIV SHAKDHER, J.

AMIT BANSAL, J.

MARCH 27, 2024/rt

Click here to check corrigendum, if any