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

+ **W.P.(C) 7284/2023**

MS RUDRAKSH FAB PVT. LTD.

..... Petitioner

Through: Mr. Navlendu Kumar and Mr.
Anupam Kumar, Advocates

versus

SMT KUNTI AND ORS

..... Respondents

Through: Mr. Abhishek Rawat, Advocate
Mr. Anurag Nasiar, Advocate for R-6

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

09.01.2024

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CM APPL. 1387/2024 (Seeking direction to release the amount)

1. The instant application under Section 151 of the Code of Civil Procedure, 1908 has been filed jointly by the parties seeking the following reliefs:

“i) Pass an order whereby release the F.D.R no 011918 along-with accrued interest thereon, dtd. 26.05.2023, issued by Axis Bank, in the name of Registrar General, High Court of Delhi, in pursuant to order dtd. 25.05.2023 passed by this Hon'ble court, in favour of petitioner here;

ii) Pass any other direction (s)/writ(s)/orders as deemed fit and proper as per the facts and circumstances of the case as the same is very necessary in the interest and furtherance of justice.”

2. It is informed on behalf of the parties that the matter has already been



amicably settled between the parties vide settlement agreement dated 21st December, 2023 at Rouse Avenue District Court Mediation Centre and the same is appended with the instant application. It is also submitted that vide order dated 25th May, 2023, the petitioner was directed to deposit the differential amount in three days which was duly complied with by the petitioner and accordingly vide order dated 30th March, 2023, the impugned orders were stayed.

3. Learned counsel for the petitioner submitted that the petitioner has abided by the terms of the settlement dated 21st December, 2023, thus, the differential amount of Rs. 3,53,688/- deposited in the form of FDR no. 011918 dated 26th May, 2023 issued by Axis Bank before the Registrar General of this Court may be released in favour of the petitioner.

4. The respondents herein are present before this Court and submitted that they have amicably settled the matter with the petitioner and have no objection if the amount of Rs. 3,53,688/- be released in favour of the petitioner.

5. Learned counsel appearing on behalf of the parties submitted that the parties shall remain bound by the terms of the settlement.

6. Heard learned counsel for the parties and perused the contents made in the application as well as the settlement agreement dated 21st December, 2023.

7. For the sufficient cause being shown in the application and no objection on behalf of the respondents appearing in person before this Court, the application is allowed.

8. The Registrar General of this Court is, accordingly, directed to release the amount of Rs. 3,53,688/-, deposited in the form of FDR no. 011918



dated 26th May, 2023 issued by Axis Bank, in favour of the petitioner subject to verification of the documents of the petitioner.

9. In view of the aforesaid terms, the application stands disposed of.

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In view of the order passed on the even date in CM APPL. 1387/2024 and as the matter is amicably settled between the parties vide Settlement Agreement dated 21st December, 2023, nothing is left for further adjudication in the instant petition.

Accordingly, the instant petition stands disposed of in terms of the Settlement Agreement dated 21st December, 2023.

Pending applications, if any, also stand disposed of.

Date already fixed i.e. 28th March, 2024 stands cancelled.

CHANDRA DHARI SINGH, J

JANUARY 9, 2024
gs/ryp

Click here to check corrigendum, if any