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

+ **CS(OS) 578/2019, I.A. 12257/2020 & I.A. 7956/2022**

EMBASSY OF DEMOCRATIC REPUBLIC OF
CONGO

..... Plaintiff

versus

BUNIYAD CONSTRUCTION PVT. LTD.

..... Defendant

+ **OMP (ENF.) (COMM.) 53/2019, CCP(O) 77/2020,
EX.APPL.(OS) 313/2020, EX.APPL.(OS) 315/2020,
EX.APPL.(OS) 1038/2020 & EX.APPL.(OS) 242/2021**

BUNIYAD CONSTRUCTION PVT. LTD.

..... Decree Holder

versus

EMBASSY OF DEMOCRATIC REPUBLIC
OF CONGO

..... Judgement Debtor

+ **O.M.P. (COMM) 435/2020, I.A. 5417/2020, I.A. 5418/2020 &
I.A. 4019/2021**

EMBASSY FOR DEMOCRATIC REPUBLIC
OF CONGO

..... Petitioner

versus

BUNIYAAD CONSTRUCTION PVT. LTD.

..... Respondent

Appearance:

Mr. Tejas Karia, Ms. Shruti Sabharwal, Mr. Prakhar Deep, Mr. Nishant Doshi, Mr. Nitin Sharma and Ms. Nitya Nath, Advocates for Embassy in Item No.6 and 7.

Mr. Varun Sharma, Advocate for Buniyaad Construction Pvt. Ltd.

Mr. Satya Ranjan Swain, SPC with Mr. Kautilya Birat, Advocates for JD-2/UOI in Item No.6.

Mr. Rajeev Lochan, Advocate for petitioner in Item No.5 and 7.



CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
29.05.2024

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1. Learned counsel for the parties state that the disputes between them have been settled, and a Settlement Agreement has been signed by the representatives of the parties on 21.05.2024. A copy of the Settlement Agreement, signed by the representatives of both parties, has been handed up in Court and is taken on record.
2. The Settlement Agreement provides that, in addition to the sum of Rs.2.5 crores already paid to Buniyad Construction Pvt. Ltd. by the Embassy for Democratic Republic of Congo ["Embassy"], a further amount of Rs.1,37,78,096/- will be paid in full and final settlement of the disputes.
3. Mr. Tejas Karia, learned counsel for the Embassy, states that the Embassy is required to revalidate a demand draft, which has already been prepared for the balance amount of Rs.1,37,78,096/-, as the demand draft is dated 05.08.2022, and has lapsed. He states that the demand draft will be revalidated and handed over to Buniyad Construction Pvt. Ltd. within 30 days from today.
4. In view of the settlement, learned counsel for the Embassy seeks permission to withdraw CS(OS) 578/2019 & O.M.P. (COMM) 435/2020. The said proceedings are dismissed as withdrawn.
5. In view of the statement made by Mr. Karia with regard to payment of the balance amount of Rs.1,37,78,096/-, no further orders are required



in OMP(ENF.)(COMM.) 53/2019. The enforcement proceedings are therefore closed, with liberty to the award holder - Buniyad Construction Pvt. Ltd., to apply for revival of the proceedings if the balance amount is not paid to it within 30 days from today.

6. All pending applications are disposed of.

PRATEEK JALAN, J

MAY 29, 2024
SS/