



\$~56

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

+ **RFA(COMM) 294/2024 & CM APPL. 42644-42645/2024**

NEW SHOP CSTORE NETWORK
PRIVATE LIMITED

.....Appellant

Through: Ms Aakanksha Kaul, Mr Gaurav Jain,
Mr Anuj Malhotra, Ms Karuna Sharma,
Adv.

versus

RAJNISH KUMAR AND SONS HUFRespondent

Through: Mr Shreyek Gupta, Adv.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
29.07.2024

%

[Physical Hearing/Hybrid Hearing (as per request)]

1. This appeal is directed against judgment and decree dated 18.05.2024.
2. Via the impugned judgment, the trial court has decreed the suit in favour of the respondent/plaintiff for Rs.13,37,434/-, along with interest @ 8% per annum commencing from 24.10.2022 till its realisation.
- 2.1 Besides this, cost of Rs.17,672/- have also been awarded to the respondent.
3. We have heard the learned counsel for the parties at some length.

RFA(COMM) 294/2024

Page 1 of 2



4. Ms Aakanksha Kaul, learned counsel, who appears on behalf of the appellant, on instructions, has offered that the decretal amount could be paid, *albeit* in three (03) equal monthly instalments.

4.1 The offer to pay in tranches was put to the counsel for the respondent.

4.2 Mr Shreyek Gupta, learned counsel, who appears on behalf of the respondent, on instructions, has accepted the offer made on behalf of the appellant by Ms Kaul.

5. Accordingly, the appeal is disposed of, as agreed, on the following terms:-

- i. The decretal amount will be paid in three (03) equal monthly instalments, which would include the principal amount, interest and cost.
- ii. The first instalment will be paid on or before 01.09.2024. The remaining instalments will be paid on or before 01.10.2024 and 01.11.2024.

6. The impugned judgment and decree is varied to the extent indicated above.

6.1 The Registry will prepare a fresh decree sheet in terms of the order passed today.

7. The parties will act according to the digitally signed copy of the order.

RAJIV SHAKDHER, J

AMIT BANSAL, J

JULY 29, 2024/ds

[Click here to check corrigendum, if any](#)

RFA(COMM) 294/2024

Page 2 of 2