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

+ **ARB.P. 1245/2024**

DEL MONTE FOODS PRIVATE LIMITEDPetitioner
Through: **Mr. Amar Kumar, Adv.**

versus

MUNEESH KUMARRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER
16.12.2024

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1. Learned counsel for the petitioner submits that a settlement has been arrived at between the parties.
2. A copy of the document titled "Mutual Settlement of Claim Amount" executed between the parties has been placed on record. In terms thereof, total amount of Rs.12,50,000/- has been agreed to be paid by the respondent.
3. Certain post-dated cheques as referred to in the said document have been furnished by the respondent to the petitioner.
4. It is also stated therein as under:-

"Kindly note that the cheques issued to us shall be covered under the Negotiable Instruments Act, 1861 read with amendments therein and in the event of any bouncing off any of the postdated cheque, we shall be free to invoke legal proceedings as deemed necessary to recover our Claim Amount, interest till date of recovery, litigation costs and all such costs that may be accrued by us till the final recovery of our dues."

5. In view of the aforesaid, learned counsel for the petitioner does not



seek to press the present petition at this stage. However, he seeks liberty to revive the present petition in the case of breach of the aforesaid settlement agreement, and/or in the event of any of the post-dated cheques being dishonoured.

6. The present petition is accordingly dismissed as withdrawn with liberty as prayed for.

SACHIN DATTA, J

DECEMBER 16, 2024/uk