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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA(COMM) 408/2024 & CM APPL. 56620/2024**
M/S SAGAR RATNA RESTAURANTS PVT LTD

.....Appellant

Through: Mr.AmanVasisth, Adv.

versus

M/S ABM COMMUNICATION PVT LTDRespondent

Through: Mr.Sanjiv Bahl, Mr.Pawas
Agarwal,Mr.Apoorva Bahl,
Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

27.09.2024

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1. This appeal has been filed by the appellant challenging the impugned Decree and Judgment dated 24.07.2024, passed by the learned District Judge (Commercial Courts) (Digital-04), South, Saket Courts, New Delhi in CS(COMM.) 406/2022 titled ***M/s ABM Communication Pvt. Ltd. v. M/s Sagar Ratna Restaurants Pvt. Ltd.***

2. The learned counsels for the parties submit that the parties have arrived at an amicable settlement of their disputes.

3. In terms of the settlement, the appellant has undertaken to pay a sum of Rs.5,20,000/- to the respondent in two installments, the first being of Rs.4,38,436/-, for which the learned counsel for the appellant hands over a cheque bearing no.052073, dated 26.09.2024, drawn at Kotak Mahindra Bank, A-1/24, Safdarjung Enclave, New Delhi to the



learned counsel for the respondent. The appellant undertakes that the said cheque shall be duly honoured on its presentation. The remaining of the settled amount, after deducting the TDS, shall be paid by the appellant to the respondent on or before 15.10.2024.

4. It is further agreed that in case the cheque handed over today is returned dishonoured by the bank for any reason or the balance amount as per the settlement is not paid by the appellant to the respondent on or before 15.10.2024, the respondent shall be entitled to seek enforcement of the decretal amount as has been awarded by the impugned Decree and Judgment dated 24.07.2024.

5. It is clarified that in case the appellant makes the payment of the complete settled amount as per the settlement, the impugned Decree and Judgment dated 24.07.2024 shall be treated as satisfied with no further claim remaining of the respondent.

6. The appeal and the pending application are accordingly disposed of recording the above terms of the settlement and binding the parties to the terms thereof.

NAVIN CHAWLA, J

SHALINDER KAUR, J

SEPTEMBER 27, 2024/Arya/VS

Click here to check corrigendum, if any