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

+ **RFA(COMM) 32/2024 CM APPL. 6944/2024**

M/S VIMAL PLAST INDIA PVT. LTD.APPELLANT

Through: **Ms. Kajal S Gupta, Ms. Urvashi Chauhan, Advs.**

versus

M/S M. D. GRAPHICSPVT. LTD.RESPONDENT

Through: **Mr. Sanjay Garg, Adv.**

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE VINOD KUMAR

ORDER

% **13.10.2025**

1. The appeal lays a challenge to the judgment/decreed dated 28.08.2023 passed by the learned District Judge, Commercial Court, North Rohini, Delhi on 28.08.2023. This Court while issuing notice on the appeal vide order dated 05.02.2024 has limited the appeal only to the extent whether the amount received by the respondent, if any, against the dishonoured cheque dated 30.06.2019 is required to be adjusted from the decretal amount and the decree is required to be modified to that extent.

2. It is conceded by Ms. Kajal S Gupta, learned counsel for the appellant and Mr. Sanjay Garg, learned counsel for the respondent that the amount of dishonoured cheque dated 30.06.2019 is Rs. 2,22,121/-. In fact, she draws our attention to order dated 10.11.2022 passed in Complaint Case No. **4437/2019 M/s. M D Graphics Pvt. Ltd. v. Vimal Plast Pvt. Ltd. & Ors.** by



the MM-04, North Rohini, Delhi which reads as under:

“It is submitted by the AR of the complainant he has settled the present case with the accused.

At this stage, Ld. Counsel for accused has presented a cheque for the amount of Rs. 2,22,121/- along with further compensation of Rs. 22,000/-. Same is handed over to the AR of the complainant.

Statement of AR of the complainant is recorded qua the settlement.

Put up for verification of encashment of cheque on 26/11/2022.”

3. Mr. Garg concedes that the amount of Rs. 2,22,121/- i.e. the amount of the cheque dated 30.06.2019 has been received by the respondent herein.
4. He also states that the said amount is required to be adjusted from the decretal amount. In other words, that balance amount is due and payable under the judgment decree dated 20.08.2023.
5. The appeal is disposed of. The decree sheet shall be prepared in terms of this order.

V. KAMESWAR RAO, J

VINOD KUMAR, J

OCTOBER 13, 2025

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