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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 101/2018 & CM APPL. 10173/2018 CM APPL.
17043/2022 CM APPL. 34442/2023

M/S CAPITAL SURGICAL CO PRIVATE LIMITEDPetitioner

Through: Mr. Amarjit Singh Chandiok, Sr.
Advocate with Ms Suryaprava Basu
and Mr. Manpreet Singh, Advocates.

versus

JAIN COOPERATIVE BANK LTDRespondent

Through: Mr. Sanjoy Ghosh, Sr. Advocate with
Mr. Shubhendu Anand, Mr. Piyush
M. Dwivedi, Mr. Pradosh Shetty, Mr.
Rishab, and Mr. Abhishek Sharma,
Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **07.08.2025**

Pursuant to what has been recorded in the last 02 orders dated 27.07.2025 and 30.07.2025, Mr. Amarjit Singh Chandiok, learned senior counsel appearing for the petitioner and Mr. Sanjoy Ghosh, learned senior counsel appearing for the respondent submit, that the parties are willing to close the present proceedings on the following agreed terms:

- 1.1. The petitioner shall vacate the subject premises, *i.e.* Plot No. 80, H. No. 4917/XI in Khasra No. 168/110, Dariya Ganj, New Delhi within 10 days from today; and surrender vacant, physical possession thereof to the respondent acting through its Authorized Representative. A possession letter in acknowledgement of receiving possession will be issued by the respondent;



- 1.2. The bank guarantee in the sum of Rs.95 lacs that has been furnished by the petitioner to this court, shall be returned in original to the petitioner, who shall be entitled to have the same cancelled by the bank, with no further liability;
- 1.3. In addition to returning the aforesaid bank guarantee, the respondent shall also pay to the petitioner the sum of Rs.15 lacs in full and final settlement of all *inter-se* dues between the parties. This amount shall be remitted in the name of petitioner/M/s. Capital Surgical Co. Private Limited by way of demand draft simultaneously with the surrender of possession of the subject premises by the petitioner, as aforesaid.
2. The Registry is directed to return the original bank guarantee to the petitioner, acting through its Authorised Representative, after duly verifying their credentials, within 01 week of the date of surrender of the subject premises as evidenced by the possession letter.
3. In view of the above, the petition is disposed-of, holding the parties bound by the terms as set-out above. The parties shall be liable for action, including for contempt of court, in the event of any non-compliance.
4. Pending applications, if any, stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 7, 2025/ss