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

\# **CNR No. DLHC010332172026**

\+ **RFA(COMM) 472/2026, CM APPL. 48181/2026, CM APPL. 48182/2026 & CM APPL. 48184/2026**

RAJ KUMAR SHARMA .....Appellant

Through: Mr Brijendra Pratap Singh and Ms. Yamini Rana, Advocates.

versus

SANDEEP KUMAR JAIN .....Respondent

Through: Mr. Neeraj Gupta Asija, Adv.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

O R D E R

% 29.10.2026

1. This hearing has been done through hybrid mode.

RFA(COMM) 472/2026, CM APPL. 48181/2026, CM APPL. 48182/2026 & CM APPL. 48184/2026

2. The present appeal has been filed by the Appellant under Section 13 of the Commercial Courts Act, 2015 read with Section 96 of the Code of Civil Procedure, 1908, *inter alia*, challenging the impugned judgment and decree dated 12th February, 2026 passed by the ld. District Judge, (Commercial Courts)-05, West District, Tis Hazari Courts, Delhi in ***CS (COMM) No. 342/2024*** *(hereinafter, 'the impugned judgement and decree').*

3. *Vide* the impugned judgement and decree, the suit of the Respondent/Plaintiff has been decreed in the following terms:

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> *"Relief*
> *14.1 For the foregoing reasons and discussions and findings returned on issue no.(i) to (v). suit of plaintiff is decreed with cost.* ***Defendant is directed to pay a sum of R.s.7,74,475/- to plaintiff. He is further directed to pay interest @ 9% per annum on the principal outstanding amount of Rs.5,95,750/- from the date of filing of the suit i.e. 16.04.2024 till realization of the entire amount****."*

4. Notice was issued in this appeal *vide* order dated 28th July, 2026 and in the meantime, parties were also referred to mediation. Parties have now reported that the matter has been settled in terms of the settlement agreement dated 25th September, 2026 executed under the aegis of the Delhi High Court Mediation and Conciliation Centre.

5. As per the said agreement, the Appellant has agreed to pay a sum of Rs.6 lakhs and the same has in fact been paid by a Demand Draft dated 15th September 2026 drawn on State Bank of India. The said Demand Draft has been duly acknowledged by the Respondent. The settlement agreement is signed by the parties as also the Counsel and the ld. Mediator. A copy of the Demand Draft is also attached with the settlement agreement. The Demand Draft has also been encashed by the Respondent.

6. Ld. Counsel submit that the agreement is a full and final settlement between the parties.

7. The appeal is disposed of as settled. Pending applications, if any, are also disposed of.

8. In view of the fact that the matter has been settled through mediation,

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the Appellant may seek refund of the full Court fee deposited in this appeal.

PRATHIBA M. SINGH, J

DINESH BHATT, J

OCTOBER 29, 2026/ss/ck

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