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

+ **RFA(COMM) 298/2024 & CM APPL. 43049/2024, CM APPL. 43050/2024, CM APPL. 60300/2025**

NARANG TYRE SALES & ORS.APPELLANTS

Through: Mr. Himanshu Singh, Adv.
P-2 in person.

versus

VINAY GUPTA & ANR.RESPONDENTS

Through: Mr. Rajat Aneja and Ms.
Anamika Bag, Advs.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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12.02.2026

1. Through the present Appeal, the Appellants assail the correctness of the judgment dated 16.05.2024, passed by the learned District Judge (Commercial Court)-12, Central District, Tis Hazari Courts, Delhi in CS (COMM) No. 2224/22.
2. The parties along with their learned counsel are present in Court.
3. The Court of first instance has passed a decree for a sum which cumulatively comes to around ₹28,00,000/-. Pursuant to the said direction, the Defendants have filed the present Appeal.
4. During the pendency of the Appeal, the Defendants have deposited ₹16,84,700/- on 20.08.2024.
5. The parties have now arrived at a settlement which has been reduced into writing and the Memorandum of Understanding ('MOU') has been produced during the course of the hearing.
6. It is agreed that the Respondents shall be entitled to withdraw



₹16,84,700/- along with interest accrued thereon from the Registry of this Court.

7. The Defendants have also paid an additional sum of ₹2,00,000/- by way of two demand drafts, the details of which have been incorporated in the MOU, which is taken on record and marked 'C1'.

8. Learned counsel representing the Respondents submits that he has instructions from Respondent No. 2 to make a statement and enter into settlement.

9. Respondent No. 1 is not present in Court, however, learned counsel representing the Respondents states that he has instructions to enter into settlement and therefore, he has signed the MOU on behalf of Respondent No. 1.

10. Respondent No. 2 is the brother of Respondent No. 1. He states that Respondent No. 1 has given his consent to the aforesaid settlement.

11. Keeping in view the aforesaid position, the present Appeal along with the pending applications, is disposed of in terms of the MOU marked as 'C1', which shall form part of the decree.

12. The Registry is directed to release the amount with interest accrued to Respondent Nos. 1 & 2 forthwith.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

FEBRUARY 12, 2026 / 'KDK'