

RCA DJ 68/25

DIN MOHAMMAD Vs. ISTKHAR AHMAD

01.04.2026

Present: Mr. Y.R. Sharma and Mr. Kamaluddin, Ld. Counsel for
appellant.
Ld. Counsel for respondent.

1. Appellant has not deposited the admitted amount of Rs. 50,000/- in Court in terms of last order and thus, there is no stay to the execution proceedings. The executing Court is at liberty to proceed with the execution as per law.

2. At this stage, parties submit that they have mutually agreed to settle the decree under challenge dated 29.10.2025 for a lump sum amount of Rs. 3 lac to be paid as under by appellant/original defendant to respondent/original plaintiff.

1. Rs. 50,000/- to be paid in cash today. The said payment has been made in Court.
2. Rs. 1.25 lac to be paid on or before 01.10.2026.
3. Rs. 1.25 lac to be paid on before 01.04.2027.

3. It is agreed that in case there is any default in the above payment schedule, appellant/original defendant shall be liable to pay simple interest @ 12% per annum from the date of default till realization.

4. Parties pray that the decree under challenge may be modified in the above said terms and a consent decree U/O XXIII Rule 3 CPC may be passed. Signatures in this regard are taken on this order-sheet from the respective parties and the consequences of the above terms have been explained in Hindi to both the parties duly assisted by their respective counsels.

5. In view of the above, the impugned decree dated 29.10.2025 passed in CS No. 62/22 titled as 'Ishtiqar Ahmed Vs. Din Mohammad @ Deewanji' is modified in terms recorded in this order.
6. Let a fresh decree sheet U/O XXIII Rule 3 CPC be prepared. It may be recorded on the said decree that a sum of Rs. 50,000/- stands paid under the said decree.
7. Copy of this order shall form part of the decree to be prepared.
8. In view of the above, the present appeal is disposed off.
9. Let copy of this order with decree sheet be sent to the Ld. Trial Court for necessary information.
10. Let TCR be also sent back.
11. Let a certificate U/S 16 of Court Fees Act (as amended) be also issued by the Ld. Trial Court to the original plaintiff (respondent herein) for return of Court fees paid by plaintiff before the Trial Court.
12. Let the appeal file be consigned to Record Room.
13. Dasti to parties.

Aashish Gupta
DJ-01/NE/KKD/DELHI
01.04.2026