

3 CA / 254/2025
JAGPAL SINGH Vs. The State /0
(New Usman Pur)

23.05.2026

Present: Appellant is absent.
Sh. Vikas Sherwal, Ld. Counsel for appellant.
Sh. Lakshya Malhotra, Ld. Counsel for main respondent
with daughter of respondent.

An application is moved by the Ld. Counsel for the appellant seeking exemption from personal appearance. For the reasons mentioned in the application, the same is allowed for today only.

Record perused.

Perusal of record reveals that the present matter was settled between the parties before the Mediation Cell and it was agreed that towards the full and final payment, the appellant shall pay a total sum of Rs. 1,59,422/- out of which Rs. 56,885/- already stands paid and the remaining balance of Rs. 1,02,536/- shall be paid by the respondents in six equal installments of Rs. 17,089/- and for each default the appellant shall be liable to pay a penalty of Rs. 5,000/-. The first installment was agreed to be paid by 20.05.2026.

However, at this stage, It is submitted by the Ld. Counsel for the respondent that despite mediation settlement, the appellant has failed to make the payment of the first installment of the settlement amount and as such has committed the default even before recording of the statement of the parties regarding the mediation settlement before this court. Hence, it is prayed that matter be proceeded on merits.

However, on the other hand the Ld. Counsel for appellant

has stated that the only reason for the default on the part of the appellant to make the payment of the first installment on time was the non receipt of the tuition fee which the appellant was expecting to receive from his department before 20.05.2026.

It is stated that however, the appellant is still ready to make the payment of the settlement amount as agreed before the mediation center alongwith the penalty amount for the first default.

In view of the submissions of the Ld. Counsel for appellant, the Ld. Counsel for respondent has also stated that if the appellant is ready to pay the penalty amount alongwith the payment of the first installment of settlement amount, the respondent is also ready to go ahead with the mediation settlement provided the appellant make the payment of the first installment alongwith the penalty by the first week of June,2026.

The Ld. Counsel for appellant has also agreed for the same.

Accordingly, now to come up for recording of the statement of both the sides regarding the mediation settlement as well as the payment of the first installment of the settlement amount alongwith penalty amount of Rs. 5,000/- by the appellant to the respondent on 04.06.2026.

(BALWINDER SINGH)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/23.05.2026