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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CRL.REV.P. 259/2021  
MS RAJ RAJESHWARI KRISHI KENDRA

.....Petitioner  
Through: Mr. Baradraj Pandey, Adv.

versus

SATISH KUMAR

.....Respondent  
Through: Respondent through VC.

**CORAM:**  
**JOINT REGISTRAR (JUDICIAL) BHAWANI SHARMA**

**ORDER**  
**10.09.2025**

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File is placed before this Court vide order dated 14.07.2025 for filing the statement of accounts by the petitioner.

As per office note, nothing fresh has been filed.

Matter is pending for filing the statement of account by the petitioner and for filing the reply with respect to outstanding due of Rs. 2,70,000/-.

No reply with respect to the outstanding amount of Rs. 2,70,000/- has been filed.

While fairly admitting the delay in making the settled sum of Rs. 8,00,000/- to the respondent to be cleared within the settled time of 5 months, settlement took place on 08.02.2023 and the payment of Rs. 8,00,000/- was to be cleared by 30.07.2023, there being a penalty amount of Rs. 10,000/- per month till realization in case of default of payment, it is submitted by learned counsel for the petitioner that the first two periodic payments of Rs. 2,00,000/- each were duly made on time whereas the rest and entire of the two periodic payments of Rs. 2,35,000/- and Rs. 1,65,000/- could not be cleared on account of the



ailment of wife of the petitioner who had been suffering from cancer. It is submitted that there has been delay of more than one year in making the payment of rest and entire settled amount of Rs. 4,00,000/.

It is further submitted that since the half of the settled amount of Rs. 2,00,000/- each was cleared on time and rest of the half of the settled amount could not be cleared on account of ailment of wife of the petitioner, the penalty can only be imposed as Rs. 5,000/- and not the Rs. 10,000/-.

As observed in order dated 20.05.2025 of this Court only payment of first instalment i.e. Rs. 2,00,000/- was made on time and the payment of second instalment of agreed sum of Rs. 2,00,000/- was received by the respondent only on 01.08.2023, which was not on time thereby again attracting penalty.

As per computation chart filed by the respondent, there has been delay in making payments of agreed amount in terms of the mediation settlement dated 08.02.2023 and the said delay is to be dealt with by imposing additional liability of Rs. 10,000/- per month till realization of said default amount. There is nothing on record to substantiate that the payment of agreed sum as per the Mediation Settlement date 08.02.2023 has been made on time in terms of the said settlement.

The reasoning given by the petitioner reducing the penalty amount from Rs. 10,000/- to Rs. 5,000/- is beyond comprehension and unintelligible. The documents filed by the respondent reflecting the computation of the penalty amount clearly demonstrate existence of further liability as penalty on account of delay in making payment as per agreed time of payment of penalty of Rs. 2,70,000/- against the petitioner which has not been rebutted through any document, hence, remains intact.



Matter is coming up for hearing before the Hon'ble Court on 17.09.2025. Be placed accordingly.

**BHAWANI SHARMA  
JOINT REGISTRAR  
(JUDICIAL)**

**SEPTEMBER 10, 2025/yo**