

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

I.A. 7/2016 IN CIVIL APPEAL NO(S).2757/2015

RAJESH KUMAR SONI

APPELLANT(S)/APPLICANT(S)

VERSUS

MADHU SARAF

RESPONDENT (S)

O R D E R

Today, when this civil appeal was listed along with I.A. No.7, both the parties are present before the Court. The application for direction (I.A. No.7) is sought to dispose of the appeal in terms of the Settlement Agreement dated 5.10.2015, as per Annexure A1 of the application.

The petitioner has agreed to pay to the respondent a sum of Rs.10,00,000/- (Rupees Ten Lacs) in the form of two cheques for Rs.5,00,000/- (Rupees Five Lacs) each, apart from a Fixed Deposit Receipt for the value of Rs.5,00,000/- (Rupees Five Lacs) in favour of Baby Anjali. The said two cheques Nos.308620 dated 12.4.2016 and 308621 dated 2.7.2016 for Rs.5,00,000/- (Rupees Five Lacs) each were handed over to the respondent in the Court. As far as the Fixed Deposit of Rs.5,00,000/-

(Rupees Five Lacs) is concerned, the petitioner undertakes to get a Fixed Deposit Receipt in favour of Baby Anjali by 27.01.2016. Noting the above understanding and as we are convinced that the terms of settlement are fair and reasonable and also the two cheques having been handed over to the respondent for the sum of Rs.10,00,000/- (Rupees Ten Lacs) and the Fixed Deposit Receipt to be handed over to the respondent by 27.1.2016, the above-said Settlement Agreement is affirmed and the Civil Appeal stands disposed of in terms of the Settlement Agreement dated 5.10.2015. This order will replace the order impugned in this appeal.

If for any reason the appellant failed to honour the two cheques issued in favour of the respondent and also failed to get a Fixed Deposit Report for the sum of Rs.5,00,000/- (Rupees Five Lacs), in the name of Baby Anjali and handover the same to respondent by 27.01.2016, the benefit granted under this order will automatically cease to operate.

By virtue of this settlement, both the parties will withdraw all the cases both civil and criminal pending before all other Forums within four weeks. On such memo of withdrawal being filed, the concerned Courts shall pass appropriate orders and terminate the proceedings forthwith.

Pending applications, if any, shall stand disposed of.

.....J.  
[FAKKIR MOHAMED IBRAHIM KALIFULLA]

.....J.  
[ARUN MISHRA]

NEW DELHI;  
JANUARY 22, 2016.

ITEM NO.54

COURT NO.5

SECTION IV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

I.A. 7/2016 IN CIVIL APPEAL NO(S). 2757/2015

RAJESH KUMAR SONI

Appellant(s)

VERSUS

MADHU SARAF

Respondent(s)

(Application for directions/withdrawal of appeal)

Date : 22/01/2016 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA  
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Mr. Nitin Kumar Thakur, AOR

For Respondent(s) Respondent-in-person

the Court made the following  
O R D E R

The Settlement Agreement dated 5.10.2015 is affirmed and the Civil Appeal stands disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)  
COURT MASTER

(SHARDA KAPOOR)  
COURT MASTER

(Signed order is placed on the file)