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

% **Date of Decision: 05th May, 2025**

+ **CM(M) 822/2025 & CM APPL. 26903-26905/2025**

PAL SINGH PROPRIETORPetitioner

Through: **Mr. Arjun Natarajan and Mr. Lalit Singh, Advocates**

versus

VIPIN GUPTARespondent

Through: **Mr. Pulkit Thareja and Mr. Nitish, Advocates**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 26903/2025 & CM APPL. 26904/2025 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 822/2025 & CM APPL. 26905/2025

1. The point raised in the present petition is very short and precise.
2. Since learned counsel for respondent/decreed holder also appeared on advance notice, both the sides were requested to find out the possibility of any further amicable settlement and after taking requisite instructions, it has been apprised that the matter has been amicably settled.
3. Petitioner has already suffered a decree on the basis of settlement which had taken place before Mediation Centre.
4. Admittedly, the present outstanding decretal amount is Rs. 6 lacs.
5. Learned counsel for petitioner submits that petitioner/judgment-debtor Pal Singh is ready to make payment of the balance decretal amount in 12 *Equated Monthly Instalments* (EMI) of Rs. 50,000/- each. The first EMI would be paid by 01.06.2025 and thereafter, the future instalments would also be paid by first of every following month. It is undertaken that in case there is any delay or default in making the payment of any of these 12 instalments, the



decree in question would become executable, forthwith, along with penal interest, as mentioned in the judgment and decree.

6. Learned counsel for petitioner has also submitted that he has already taken requisite instructions in this regard from the petitioner/judgment debtor Mr. Pal Singh and he has also understood that such undertaking is an undertaking given to this Court and in case, he goes back from such undertaking, then he may, even, invite initiation of contempt proceedings against him.

7. Learned counsel for respondent submits that he has also taken instructions from respondent/decree holder, who is agreeable to the aforesaid terms.

8. In view of the above, present petition and pending application stand disposed of.

9. Parties are, accordingly, requested to go back to learned Executing Court to take requisite adjournment with respect to the Execution Petition in question, in terms of the aforesaid settlement.

10. Needless to clarify, in case there is any delay or default in making payment of any such instalment, the decree holder would be permitted to continue and revive the execution forthwith and he would also be permitted to seek penal interest @ 28 per cent per annum. In case the undertaking, as above, is flouted, petitioner would make himself liable for initiation of contempt proceedings.

**(MANOJ JAIN)
JUDGE**

MAY 5, 2025/dr/js