

Case No - EU/911NW/18
Title - Shivrat Singh v/s M/s Nirankari Eng. works.
09/04/24

For claimant Sh. R. N. Tiwari . ARW
claimant not in person

For respondent Sh. Rakesh Kumar Adv
advocate Sh. Vikas s/o Sh. Ravi Kumar prop.

An order dt - 30/11/23 was passed in favour
of claimant Sh. Shivrat Singh s/o R. N. Tiwari,
Sulmon Nagar, Delhi & against the respondent
M/s Nirankari Eng. works. Vide this order
claimant was held entitled to receive
Rs 1,96,197/- along with interest @ 25% p.a.

After this ref. Sh. Rakesh Kumar
has filed application under order 9 rule 13
read with sec 151 of the CPC 1908 wherein
ref. has taken stand that on 30/11/23
dt-fact order was passed due to non-appearance
the reason for the non-appearance is sighted
that after Covid-19 ref. was not
known of the date & the order was passed
on 9/8/23. Further stand also taken
that after inspection of file this court
has issued summons but there was no
receiving of same filed or served &
date sum dt 8/2/23 which may set

to resp. but the same was not seemed
by the resp. & also previous counsel not
told the resp. because of negligence of
previous counsel the resp. should not suffer
& prayed that the order to be set aside
& matter to be decided on merits &
if the affidavit not filed then resp. will
suffer. On the other side ARW filed
reply wherein he derived benefit of
aff. & reiterated that order has been
found on merits as such application
has no substance for consideration.

Both the parties have argued
before the court that they want to
settle the matter amicably. Claimant
also prays before the court & stated
he is ready for the same. On his account
I am not going into much details &
thus avoiding the statement of both the
parties I allow the application of resp
to bring the suit on record & accordingly
order dt 30/11/23 is set-aside.
After again discussion the

resp. has paid Rs 1,70,000/- (One lakh
seventy thousand) to the claimant in cash

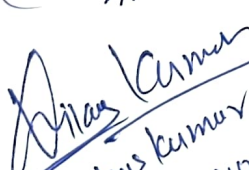


towards his full and final compensation for the settlement. Claimant received the amount Rs 170000/- in cash before his court & his Attn. R. N. Thori also present before his court.

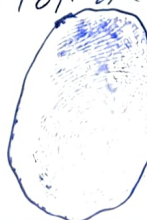
By virtue of settlement arrived b/w parties as discussed in terms of full & final. There is no due left of the claimant. as the case bearing No. EC/91/110/2018 is deemed to be settled. All the rights of the claimant by way of his settlement considered to be frozen hence forth. Copy of order be given to the parties. A/c signed R.R.

For M. on behalf of
Rakesh Kumar.
Adv D/19/11/2018
Tel 981262375


(R.N. Thori)
ARW


Vikas Kumar s/o Rakesh Kumar
9971424081

27/01/2018



F.I.
Shir Nath Singh

