
(2012) 03 DEL CK 0280
In the Delhi High Court
Case No : FAO No. 330 of 2001

Maya Devi and Others

APPELLANT

Vs

Ravi Kant and Others

RESPONDENT

Date of Decision : 16-03-2012

Acts Referred:

Citation : (2012) 03 DEL CK 0280

Hon'ble Judges : J.R. Midha, J

Bench : Single Bench

Advocate : J.S. Kanwar, for the Appellant; Harsh Khanna, Mr. Arvind Pandey, Ms. Rakhi Suneja for R-2 and Inspector Vijay Pal Singh, I.O., for the Respondent

Judgement

J.R. Midha

FAO NO. 330/2001 and CM No. 4900/2012

1. The parties have amicably resolved all their disputes and have filed a joint application bearing CM No. 4900/2012 in Court for recording of the settlement. The application is signed by all the parties as well as their respective counsels and is supported by their affidavits. CM No. 4900/2012 is taken on record. As per the said settlement, respondent No. 1 has agreed to pay a sum of Rs. 2,25,000/- and respondent No. 2 has agreed to pay a sum of Rs. 1,25,000/- to the appellant in full and final settlement. The aforesaid amount has been agreed to be paid in installments. The particulars of the installments are given in para 2 of the application.

2. The settlement between the parties is lawful and is recorded. Respondents No. 1 and 2 undertake to pay the settlement amount as per the schedule mentioned in para 2 of the application. The undertaking of the respondents is accepted. CM No. 4900/2012 is allowed.

3. The appellant, Maya Devi is present in Court and she is a housewife. The appellant is staying with her two married sons. Considering the status and needs

of the appellant, the settlement amount of Rs. 3,50,000/- be disbursed in the following manner:-

(a) The first installment of Rs. 50,000/- by respondent No. 1 and Rs. 50,000/- by respondent No. 2 be deposited with UCO Bank, Delhi High Court Branch on 30th April, 2012 by means of a demand draft in the name of UCO Bank, Delhi High Court Branch A/c Maya Devi and be handed over to the Mr. M.S. Rao, AGM, UCO Bank, Delhi High Court Branch for being deposited in the Savings Bank Account of Maya Devi. The remaining installments be deposited by respondents No. 1 and 2 on the due dates with Mr. M.S. Rao, AGM, UCO Bank, Delhi High Court Branch, New Delhi (Mobile No. 09871129345) by means of demand drafts drawn in the name of UCO Bank A/c Maya Devi. Upon the aforesaid deposit being made, UCO Bank shall keep the said amount in fixed deposit in the following manner:-

(i) Fixed deposit for Rs. 80,000/- with effect from 15th June, 2012 for a period of one year.

(ii) Fixed deposit for Rs. 70,000/- with effect from 14th August, 2012 for a period of two years.

(iii) Fixed deposit for Rs. 50,000/- with effect from 15th October, 2012 for a period of three years.

(iv) Fixed deposit for Rs. 50,000/- with effect from 15th December, 2012 for a period of four years.

(b) The interest on the aforesaid fixed deposits shall be paid monthly by automatic credit of interest in the Saving Account of the beneficiary.

(c) Withdrawal from the aforesaid account shall be permitted to the beneficiary after due verification and the Bank shall issue photo Identity Card to the beneficiary to facilitate identity.

(d) No cheque book be issued to the beneficiary without the permission of this Court.

(e) The original fixed deposit receipts shall be retained by the Bank in the safe custody. However, the original Pass Book shall be given to the beneficiary along with the photocopy of the FDRs. Upon the expiry of the period of each FDR, the Bank shall automatically credit the maturity amount in the Savings Account of the beneficiary.

(f) No loan, advance or withdrawal shall be allowed on the said fixed deposit receipts without the permission of this Court.

(g) Half yearly statement of account be filed by the Bank in this Court.

(h) On the request of the beneficiary, Bank shall transfer the Savings Account to any other branch according to her convenience.

(i) The beneficiary shall furnish all the relevant documents for opening of the

Saving Bank Account and Fixed Deposit Account to Mr. M.S. Rao, AGM, UCO Bank, Delhi High Court Branch, New Delhi (Mobile No. 09871129345).

5. The appeal is disposed of in terms of the above settlement.

6. List for reporting compliance of the undertaking by respondents No. 1 and 2 on 11th January, 2013. Copy of this order be sent to Mr. M.S. Rao, AGM, UCO Bank, Delhi High Court Branch, New Delhi (Mobile No. 09871129345). Copy of this order be given dasti to counsel for both the parties.