

ITEM NO.210

COURT NO.1

SECTION XII

BEFORE THE SUPREME COURT SPECIAL LOK ADALAT
PROCEEDINGS OF

Petition(s) for Special Leave to Appeal (C) No(s).17689/2024

ST. ALFRED EDUCATION TRUST

Petitioner(s)

VERSUS

M/S KONE ELEVATOR INDIA PVT. LTD.

Respondent(s)

Date : 23-08-2026

Present :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
MR. GAURAV AGRAWAL, SENIOR ADVOCATE
MR. RAHUL KAUSHIK, SENIOR ADVOCATE

For Petitioner(s) Mr. Ashish Yadav, AOR
Ms. B. Lekshmi, Adv.
Ms. Mamata Pal, Adv.

For Respondent(s) Mr. Bhargava V. Desai, AOR
Mr. Shivam Sharma, Adv.
Mr. Kapil Kher, Adv.
Mr. Kunal Kher, Adv.

A W A R D

1. The controversy pertains to recovery of certain amount from the petitioner - Trust for which an *ex-parte* decree was passed.

2. The parties have now amicably settled the dispute through the Settlement Deed dated 13.08.2026, *inter alia*, on the following terms and conditions:

(i) The respondent filed CS No.626/2006 to recover the money and obtain *ex-parte* decree on 24.04.2009. Then filed EP No.202/2018 for the recovery of a sum of Rs.48,20,880/- .

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(ii) The respondent has agreed to receive a sum of Rs.35,00,000/- from the appellant as full and final settlement.

(iii) Hence, the appellant has paid a sum of Rs.10,00,000/- by way of two cheques to the respondent and the receipt of the same was acknowledged by the respondent.

(iv) The respondent shall be permitted to withdraw the sum of Rs.25,00,000/- which was already deposited before the Madras High Court. However, the interest accrued on such deposit will be entitled to receive by the appellant.

(v) The respondent shall withdraw the deposit amount together with interest and shall pay the interest amount to the appellant after the withdrawal.

3. As per the Settlement Deed dated 13.08.2026, the principal amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs), deposited by the petitioner with the Madras High Court, shall be paid to the respondent and the interest, if any, accrued thereupon shall be separately paid to the petitioner. On receipt of the amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs), the respondent shall withdraw the execution proceedings.

4. The Special Leave Petition stands disposed of in the above terms.

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(GAURAV AGRAWAL)
ADVOCATE-ON-RECORD

.....
(RAHUL KAUSHIK)
SENIOR ADVOCATE

.....J.
(JOYMALYA BAGCHI)

.....CJI.
(SURYA KANT)

