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

36+ CS(OS) 1164/2011

NARESH KUMAR KASERA

..... Plaintiff

Through: None.

Versus

ASHOK KUMAR KASERA & ORS

..... Defendants

Through: D-1 in person.

AND

37+ CS(OS) 1165/2011

NARESH KUMAR KASERA

..... Plaintiff

Through: None.

Versus

ARUNA KASERA & ORS

..... Defendants

Through: D-2&3 in person.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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28.05.2013

I.A. No.9157/2013 in CS(OS) No.1164/2011 (of D-2 for disposal of suit)
& I.A. No.9145/2013 in CS(OS) No.1165/2011 (of D-2&3 for disposal of
suit)

1. Three persons identifying themselves as Mr. Ashok Kumar Kasera (defendant No.1 in CS(OS) No.1164/2011), Mr. Krishan Kumar Kasera (defendant No.3 in CS(OS) No.1165/2011) and Mr. Anupam Kasera
CS(OS) 1164/2011 & CS(OS) 1165/2011

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(defendant No.2 in CS(OS) No.1165/2011 and husband of defendant No.2 in CS(OS) No.1164/2011) appear. These applications accompanied with copy of this Settlement Agreement dated 13th May, 2013 stated to have been signed before the Mediation Cell of this Court in pursuance to reference to the said Cell by orders in these suits have been filed for disposal of the suits in terms of the said Settlement Agreement.

2. None appears for Mr. Naresh Kumar Kasera, the plaintiff in both the suits.

3. A perusal of the Settlement Agreement, copy of which is annexed to the applications, shows Mr. Naresh Kumar Kasera to have agreed to withdraw both the suits owing to the Compromise/Settlement as recorded in the said Settlement Agreement.

4. Need is not felt to adjourn the suits awaiting Mr. Naresh Kumar Kasera or to keep the suits pending since the Settlement has been arrived before the Mediation Cell of this Court and is shown to be signed by all the parties including Mr. Naresh Kumar Kasera and the Advocates for the parties as well as by Mr. Amit Saxena, Mediator.

5. The applications are accordingly allowed and both the suits are disposed of in terms of the Settlement Agreement dated 13th May, 2013 which shall form part of the decree sheet. Parties to bear their own costs.

6. It is also a term of the Settlement Agreement that the sum of Rs.4 lakhs lying deposited in the Court in CS(OS) No.1165/2011 is to be withdrawn along with interest accrued thereon. All the persons aforesaid, who are present, state that the said sum of Rs.4 lakhs with interest be ordered to be released equally in favour of Mr. Anupam Kasera and Mr.

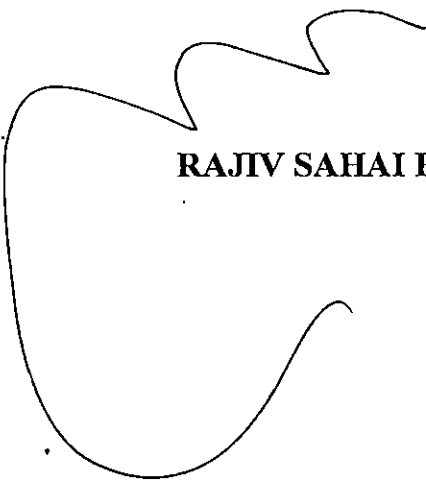
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Krishan Kumar Kasera.

7. Ordered accordingly.

8. The next date of 27th July, 2013 before the Joint Registrar is cancelled.

MAY 28, 2013
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RAJIV SAHAI ENDLAW, J