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

+ CS(OS) 161/2009 & IAs No.22112/2012, 6938/2014,  
12592/2014, 14987/2014, 20756/2014, 21538/2014 &  
216/2015

M/S NCM(INDIA) LTD. & ORS. .... Plaintiffs  
Through: Mr.Amitabh Chaturvedi and  
Ms.Ekta Sukhramani, Advocates

versus

KRISHAN CHANDRA MEHTA(SINCE DECEASED) THR' LRs  
& ANR. .... Defendants  
Through: Mr. Mayank Goel and  
Mr.Lalruatpuia Sailo, Advocates for D-1(a) to  
D-1(e), D-2, D-3 & D-4 with D-2 & D-3 in  
person  
Mr.Kumar Kislay, Advocate for proposed D-5

**CORAM:**  
**HON'BLE MS. JUSTICE HIMA KOHLI**

% **ORDER**  
**25.05.2015**

**I.A. 11425/2015 (joint application u/O XXIII R 3 CPC)**

1. The present joint compromise application has been filed by the parties stating *inter alia* that during the pendency of the suit proceedings, they have arrived at an out of court negotiated settlement, as recorded in the Deed of Settlement dated 22.5.2015(Annexure P-1) whereunder, the defendants have agreed to execute a sale deed in respect of the ground floor of property bearing No.E-178, East of Kailash, New Delhi, in favour of the plaintiff No.1 for

a total sale consideration of Rs.1,01,00,000/-. It is stated that earnest money of ₹26 lacs was paid by the plaintiffs to the deceased defendant No.1 during his life time. Learned counsel for the plaintiffs states that he has brought with him three bank drafts totalling to a sum of ₹15 lacs drawn in favour of the defendant No.1(a) and the defendants No.3 & 4 and as agreed, the balance amount of ₹60 lacs shall be paid at the time of execution of the sale deed on or before 31.5.2015. It has been further agreed by the parties that at the time of execution of the sale deed, the plaintiffs shall hand over the vacant peaceful possession of the first floor of the suit premises to the defendants, through counsel.

2. Counsels for the parties state that the suit may be decreed in accordance with the terms and conditions of the settlement, as recorded in the Deed of Settlement dated 22.5.2015.

3. The Court has perused the present application. The same has been signed by the plaintiffs' counsels and the defendants and their counsels. The application is supported by the affidavits of the signatories to the application. Enclosed with the application is the Deed of Settlement dated 22.5.2015 (Annexure P-1).

4. As the counsels for the parties jointly state that they have arrived at the aforesaid settlement of their own free will and volition

and without any undue influence or coercion from any quarters, there appears no legal impediment in accepting the settlement. The parties shall remain bound by the terms and conditions of the settlement.

5. The suit is decreed in accordance with the terms and conditions recorded in the present application, read with the Deed of Settlement dated 22.5.2015(Annexure P-1), while leaving the parties to bear their own costs.

6. The suit is disposed of, along with the pending applications.

File be consigned to the record room.

**HIMA KOHLI, J**

**MAY 25, 2015**  
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