

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

+ **CS(OS) 1485/2014**

Decided on 05.02.2015

IN THE MATTER OF:

NARINDER AND ORS

..... Plaintiffs

Through: Mr. Anand Yadav, Advocate with
plaintiff No.1 in person.

versus

SUDHIR SINGH AND ORS

..... Defendants

Through: Mr. Shiv Charan Garg, Advocate with
Mr. Imran Khan, Advocate for D-1 to D-5.
Mr. A.P. Aggarwal, Advocate for D-6.

CORAM

HON'BLE MS.JUSTICE HIMA KOHLI

HIMA KOHLI, J. (Oral)

I.A. 25592/2014 (joint application u/O XXIII R 3 CPC)

1. The plaintiffs have instituted the accompanying suit, praying *inter alia* for the relief of permanent injunction against the defendants in respect of their respective properties situated in the colony known as Budh Vihar, Phase-II, comprised in the revenue estate of village Rithala, Delhi.

2. Counsels for the parties state that during the pendency of the present proceedings, defendants No.1 to 5 and the defendant No.6 have arrived at a settlement as recorded in the Deed of Settlement

dated 14.11.2014, executed between the defendant No.6 as the duly constituted attorney of Shri Bhagirath Raj Sharma and Shri Vijay Kumar Sharma, Shri Sambhu Sharma and Shri Sunil Sharma, all sons of Shri Madan Lal Sharma on one side and the defendants No.1 to 5 and their sister, Smt. Seema on the other side, whereunder certain assurances have been given by the defendants No.1 to 5 and their sister to the defendant No.6 and *vice versa* and on the basis of the said assurances recorded in the Deed of Settlement, the plaintiffs do not have any objection to the suit being disposed of in terms of the Deed of Settlement.

3. Counsels for the defendant No.1 to 5 and the defendant No.6 state that their clients shall remain bound to each other in terms of the obligations undertaken by them respectively and recorded in the Deed of Settlement dated 14.11.2014 and they do not have any objection to the suit being disposed of in terms of the said settlement.

4. In view of the submission made by the counsel for the plaintiffs that though his clients are not parties to the Deed of Settlement, they are satisfied with the terms and conditions of the settlement arrived at between the defendants No.1 to 5 and their sister and the defendant No.6 and they do not wish to pursue the present suit any further, the present suit is disposed of alongwith the pending application while

taking on record the Deed of Settlement and leaving the parties to bear their own expenses.

5. File be consigned to the record room.

FEBRUARY 05, 2015
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(HIMA KOHLI)
JUDGE