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

+ CS(OS) 1499/2015

LALITA AWASTHI Plaintiff

Through: Mr. H.S.Gautam, Advocate

versus

VIDYA DEVI Defendant

Through: Mr. Anil Anand, Advocate with
Defendant in person

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

% **ORDER**
11.09.2015

1. The plaintiff has instituted the present suit for recovery of possession, permanent injunction etc. against the defendants, in respect of an MIG flat bearing No.3, Pocket-D, Phase-II, Mayur Vihar, New Delhi.

2. Counsels for the parties state that during the pendency of the present proceedings, the parties were able to negotiate a settlement facilitated by the Delhi Mediation Centre, Karkardooma Courts, Delhi. A copy of the Settlement Agreement dated 1.11.2014, has been filed by the counsel for the plaintiff.

3. Counsel for the defendant confirms the fact that the parties have arrived at a settlement through mediation. Counsel for the parties

state that as per the terms of the settlement, the defendant has paid a sum of Rs.45 lacs to the plaintiff as sale price of the suit premises and for the said consideration, the plaintiff has given up all her right, title and interest therein in favour of the defendant.

4. Counsel for the plaintiff admits that her client has received the entire sale consideration and is not left with any interest in the suit premises. He further states that the plaintiff shall co-operate with the defendant in getting the sale deed in respect of the suit premises, executed and registered in her favour and/or in favour of her nominee, as and when called upon to do so.

5. The Settlement Agreement dated 1.11.2014 is taken on record. The suit is decreed in terms of the conditions recorded in the said Settlement Agreement, while leaving the parties to bear their own expenses. Decree sheet be drawn accordingly.

6. At this stage, learned counsel for the plaintiff states that in view of the fact that the parties have arrived at a settlement through court annexed mediation, the plaintiff is entitled to claim refund of the court fees in terms of Section 16 of the Court Fees Act.

7. In view of the aforesaid submission made by the counsel for the plaintiff, the Registry is directed to issue a certificate in favour of the plaintiff for refund of the court fees, as per law.

8. The suit is disposed of.

File be consigned to the record room.

HIMA KOHLI, J

SEPTEMBER 11, 2015

mk/ap