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

+ CS(OS) 1994/2015

FIRDAUS AMIN

..... Plaintiff

Through : Mr. Rahul Sharma and
Mr. Jitender Ratta, Advocates with Mr.
Shashank Kumar, Attorney Holder
of Plaintiff.

versus

HUMA MIRZA & ORS.

..... Defendants

Through : Mr. P. S. Bindra, Advocate for
D-1 to D-3 along with Defendant no. 2 and Mr.
Tauseef Ahmed on behalf of Defendant no. 3.
Mr. Naveen Thakur, Advocate for D-4 to D-9

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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05.08.2015

IA No.15918/2015(u/O XXIII R 3 CPC)

1. The present joint application has been filed by the parties stating *inter alia* that they have arrived at a settlement in terms of the Partition Deed dated 29.7.2015, duly registered with the office of the Sub-Registrar(V) on the same date, whereunder the parties have agreed to identify their shares in the suit property, as detailed in paras 1-4 of the Partition Deed. The remaining terms and conditions of the settlement arrived at between the parties have been set out in paras 5 to 15 of the Partition Deed.

2. Counsels for the parties state that all the parties to the present suit are signatories to the Partition Deed and they undertake to remain bound by the terms and conditions thereof.

3. In view of the fact that the parties have negotiated an out of court settlement in terms of the Partition deed dated 29.7.2015 and they have affixed their signatures thereon and further, they have de-alienated their respective shares in the suit premises, as detailed in the Partition Deed and the different portions of the suit premises falling in the share of the parties have been identified in the site plans enclosed with the Partition Deed, duly signed by all of them, the same is taken on record.

4. The parties shall remain bound by the terms and conditions of the Partition Deed. The suit is decreed in terms of the settlement as recorded in the Partition Deed dated 29.7.2015.

5. The suit is disposed of, along with the pending application, while leaving the parties to bear their own expenses.

The date fixed before the Joint Registrar, stands cancelled.

AUGUST 05, 2015
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HIMA KOHLI, J