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

+ **CS(OS) 57/2016 and I.A. 1919-1920/2016**

SHRI VINIT RAKYAN

..... Plaintiff

Through: Mr. Dinesh Garg & Ms. Rachna Agrawal, Advocates along with the plaintiff in person.

versus

SHRI SUNIT RAKYAN

..... Defendant

Through: Mr. Vinod Thakur, Advocate for and along with defendant No.1 in person.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

08.04.2016

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At the outset, Mr. Garg states that the plaintiff is withdrawing the suit against defendant No.2.

Accordingly, the suit stands withdrawn qua defendant No.2 unconditionally.

I.A. No. 4500/2016

This is an application moved jointly by the plaintiff and defendant No.1, the sole surviving defendant in the suit, under Order XXIII Rules 1, 3 & 3A CPC to record their settlement. The application has been signed by the parties and their respective counsel. It is also supported by the affidavit of the plaintiff and defendant No.1. The parties have placed on record the memorandum of family settlement dated 04.04.2016, which forms basis of

the settlement arrived at between the parties. The terms of settlement appear to be fair, just and reasonable and there is no impediment in accepting the same.

Accordingly, the suit is decreed in terms of the application read with Annexure-A thereto. The parties shall remain bound by the same.

Since the suit is settled at an initial stage, the plaintiff is entitled to refund of 50% of the Court Fees.

APRIL 08, 2016
B.S. Rohella

VIPIN SANGHI, J