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

+ **TEST.CAS. 72/2011**

ATUL SURI

..... Petitioner

Through: Ms.Manmeet Arora, Mr.Ashish
Dholakia, Mr.Apoorv Tripathi and
Mr.Prem K. Madan, Advs.

versus

STATE & ORS

..... Respondents

Through; Mr.Jayendera Adv.for R-1.
Mr.V.M. Issar, Adv. for R-2&3.
Mrs.Anjali J. Manish and
Mr.Priyadarshni Manish, Advs. for
builder.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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04.04.2016

**IA No.23930/2015 (under Order 1 Rule 10 read with Section 151
CPC for impleadment of builder-Sh. Suresh Kumar Khetrapal)**

1. There is no opposition to this application, and the same is therefore allowed.

2. IA stands disposed of.

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3. The Petitioner through Special Power of Attorney as also the objectors in this case alongwith the builder-Sh.Suresh Khetrapal have signed the consent terms which are filed in the Court today. The Special Power of Attorney holder of the petitioner as also the

objectors are present in person in court today. They affirm the compromise and consent to the terms. It is stated that this compromise which is signed and filed in the court will bind the parties i.e. petitioner, objectors and the builder Sh.Suresh Khetrapal agreed to act in terms of the agreed terms and they undertake to this Court to be bound by the terms.

4. The present case is not a civil suit and, therefore, no decree can be passed and accordingly, the consent of the parties is recorded for the compromise to be finally binding on the parties and with respect to which, the parties have undertaken before this Court including through their counsels who are present on their behalf. The present probate case is, therefore, disposed of as per the agreement filed in the court today, which is taken on record. Parties will be bound by the settlement agreement and their undertakings given to this court are accepted in view of the settlement terms.

5. The petition is disposed of in view of settlement arrived at between the parties.

6. Since the petition is disposed of by consent, all the pending applications including any contempt petition would stand disposed of in view of the compromise.

7. Interim orders passed in the case will merge in the compromise terms.

VALMIKI J. MEHTA, J

APRIL 04, 2016
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