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

+ **CS(OS) 2999/2012**

RAGHUBIR SINGH & ANR

..... Plaintiffs

Through: Mr. Rakesh Malviya, Advocate with
Mr. Saurabh, Advocate.

versus

BHIRAMBATI & ANR

..... Defendants

Through: Mr. S.B. Sharma, Advocate with
defendant No.1 in person.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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29.04.2016

**I.A. Nos.4731/2016 (under Order 22 Rules 4 and 9 CPC) & 4732/2016
(condonation of delay)**

1. There is no opposition to these applications which are allowed.

I.A.s stand disposed of.

**I.A. No.4730/2016 (under Order 23 Rule 1 CPC) and CS(OS)
No.2999/2012**

2. This application is wrongly titled as under Order 23 Rule 1 of Code of Civil Procedure, 1908 (CPC) although the same is a joint application and will therefore be an application under Order 23 Rule 3 CPC. Application is accordingly treated as under Order 23 Rule 3 CPC.

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3. The subject suit for specific performance has been compromised and the compromise terms are stated in this application under Order 23 Rule 3 CPC which is supported by the settlement deed dated 24.2.2016. Suit is accordingly decreed in terms of the settlement stated in this application. In fact, it may be noted that necessary documentation in favour of the plaintiffs has already been done in terms of the settlement deed dated 24.2.2016. No decree therefore need be drawn as the settlement deed has been acted upon.

4. Suit is accordingly disposed of in terms of aforesaid observations, leaving the parties to bear their own costs.

VALMIKI J. MEHTA, J

APRIL 29, 2016

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