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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 314/2016, IA No.14533/2017 (under Order XXIII Rule 3 CPC), OA No.242/2016, IA No.7597/2016 (under Order XXXIX Rules 1&2 CPC), IA No.5459/2017 (under Order VII Rule 11 CPC) and IA No.5460/2017 (for disposal of the suit).

ZENITH CLOTHING COMPANY Plaintiff

Through: Mr. Amit Sethi, Adv.

versus

VANITA VIG & ORS Defendants

Through: Mr. Dinesh Singh Chaudhary and Mr. Tejendra Malik, Advs. for D-1 to 3.
Ms. Nishi Jain, Adv. for D-4&5 along with Mr. Pankaj Singh, Bank official.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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19.12.2017

1. This order is in continuation of the earlier order dated 7th December, 2017.
2. The counsel for the plaintiff, the counsel for the defendants no.1 to 3 and the counsel for the defendants no.4&5 state that they are not seeking any direction to the Office of the Sub Registrar, Faridabad to permit an endorsement to be made but will independently approach the Office of the Sub Registrar, Faridabad for the said purpose and make an application in accordance with law for making the endorsement.
3. Subject to the aforesaid, the compromise arrived at between the parties as contained in IA No.14533/2017 and in the Settlement Agreement dated 10th November, 2017 is found to be lawful and is allowed.
4. A decree is passed in favour of the plaintiff and against the defendants in terms of IA No.14533/2017 and the Settlement Agreement dated 10th

November, 2017 and order dated 7th December, 2017 and today's order, all of which will form part of the decree sheet. The parties are left to bear their own costs.

5. It is however clarified that this Court by passing the decree as aforesaid has not issued any direction to the Office of the Sub Registrar, Faridabad who will be entitled to independently assess the request of the parties and act appropriately thereon.

6. A copy of the said decree be also forwarded to the Office of the Joint / Deputy / Sub Registrar, Faridabad in terms of Section 31(2) of the Specific Relief Act, 1963.

7. Decree sheet be drawn up.

8. A certificate entitling the plaintiff to refund of 80% of the court fees paid on the suit be also issued and handed over to the counsel for the plaintiff.

9. The original Sale Deed in the custody of this Court in this suit be also released in favour of the defendants no.4&5 in terms of the decree and in accordance with the Rules.

10. OA No.242/2016 and all pending applications are disposed of.

RAJIV SAHAI ENDLAW, J

DECEMBER 19, 2017

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