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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RSA 83/2017

SAJI JOSEPH AND ORS.

..... Appellants

Through: Mr. K.N. Bhargavan, Mr. Saurabh
Bhargavan and Mr. Khoda Apa, Advs.

Versus

MANOJ KUMAR JHA AND ANR.

..... Respondents

Through: Mr. Arun Srivastava, Adv. for
respondents with R-1 in person.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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03.05.2018

The learned counsel for the parties submit that the *lis* has been settled amicably by way of a Compromise/Memorandum of Settlement dated 01.05.2018.

An application under Order XXIII Rule 3 CPC has been filed for disposal of the suit in terms of the compromise. The application is not on record. It was filed vide Diary No. 124228. A copy of the same has been handed over and is taken on record. The application has been signed by the parties as well as by their respective counsel. It is also supported by the affidavits of the appellant and the respondent No. 2. Mr. Manoj Kumar Jha-R-1, who is present in the Court today, states through counsel that he supports the application and undertakes to abide by the terms of the compromise as mentioned in the application.

The learned counsel for the parties submit that since nothing further survives in the matter, therefore, the appeal may be disposed off in terms of the Compromise/Memorandum of Settlement dated 1.5.2018 which is attached with the application as Annexure-X. They submit, upon instructions that the parties undertake to abide by the terms of the settlement and would be filing their undertakings along with affidavits in a period of one week.

In view of the above, the suit is decreed in terms of the Compromise/Memorandum of Settlement dated 01.05.2018. Let a decree sheet be drawn up accordingly.

The appeal stands disposed off in the above terms.

NAJMI WAZIRI, J.

MAY 03, 2018/acm