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

+ **W.P.(C) 1377/2018 & CM No.5731/2018**

SH. SURENDER AND ORS.

..... Petitioners

Through: Mr Vivek Kumar, Advocate.

versus

STATE OF NCT OF DELHI AND ORS.

..... Respondents

Through: Ms Prabhsahay Kaur, Advocate for
R-1 and R-2.

Mr Jatin Mongia and Mr Animesh
Kumar, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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16.08.2018

1. The learned counsel appearing for the petitioner and respondent no.3 state that the parties have agreed to settle their disputes in the following terms:-

1.1 The petitioners and respondent no. 3 agree that petitioner nos.1 and 2 are 2/8th owners of the property bearing no.B-1/13, Gali No.1, Saboli Extn., Delhi-110093 (hereafter 'the property') measuring approximately 100 sq. yards.

1.2 The petitioners and respondent no. 3 agree that the property is divisible in two parts and the petitioners currently occupy one half of the property in question.

1.3 It is agreed that the petitioners nos. 1 and 2 along with their sister (Ms

Seema) own 3/8th share of the property in question and require to purchase 1/8th share to hold/acquire one half of the property, which is currently occupied by the petitioners.

1.4 The petitioners agree that they shall acquire the rights relating to approximately 12.5 sq. yards (which is about 1/8th share of the property) from respondent no.3. The consideration for 12.5 sq. yards is now agreed at ₹2 lakhs, which will be paid by the petitioners to respondent no.3 in instalments spanning over six months.

2. The parties also agreed that they shall enter into a formal agreement to the aforesaid effect along with Ms Seema, who is not a party in the present petition.

3. In view of the above, the parties are directed to appear before the Delhi High Court Mediation and Conciliation Centre (DHCMCC) on 23.08.2018 at 4:00 PM for finalizing the settlement in the above terms.

4. Needless to state that Ms Seema would also be required to be party to the said agreement.

5. This Court is also informed that the petitioners have lodged FIR against respondent no.3. The learned counsel states that efforts will be made to resolve that issue as well. The parties at *ad idem* that resolution of the said issue is also part of the overall settlement, which is arrived at before this Court.

6. The impugned order would not be implemented subject to the parties entering into a formal agreement within the period of three weeks from today.

7. It is clarified that if the parties are unable to arrive at a formal agreement as stated above, the impugned order shall stand revived and be implemented.

8. No further orders are required to be passed in this petition. The same is disposed of. The pending application is also disposed of.

VIBHU BAKHRU, J

AUGUST 16, 2018
MK