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

+ **RFA 549/2017 & CM Nos.20828/2017& 30449/2017**

SANJAY KUMAR & ANR.

..... Appellants

Through: Ms. Raavi Birbal and Mr. Mohit
Daulatani, Advocates with Appellant
No.1 in person. (M:9818024661)

versus

BHAGWATI SHARMA

..... Respondent

Through: Mr. K. P. Mavi, Mr. B. P. Mishra, Mr.
Sidharth Sadana and Mr. Vijay
Kumar, Advocates with Respondent
in person.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **24.01.2018**

1. The parties have reported that they have arrived at a settlement. The terms of settlement have been captured in the application filed under Section XXIII Rule 3 of the Code of Civil Procedure, 1908 (*hereinafter*, 'CPC'). The said original application is taken on record. Registry to allot a filing number to the application. The application is signed by the counsels for the parties as also the parties themselves. The application is accompanied by the affidavits of the parties.

2. Statements of Smt. Mala Saxena/Appellant No.1 and Smt. Bhagwati, Sharma/Respondent have been recorded. Smt. Mala Saxena has given statement on her behalf and also on behalf of her husband, who is stated to be in a wheelchair and is unable to appear before the Court. The Court has perused the terms of settlement. Same appear to be lawful and there is no impediment in recording the compromise, and disposing the appeal and suit

in terms of the said compromise.

3. The suit is decreed in terms of the settlement and the impugned decree is modified accordingly. Parties shall be bound by the terms of the settlement. The Appellants shall make payments as mentioned and agreed in paragraph 4, as per time schedule agreed therein.

4. The appeal is disposed of as settled. All other pending miscellaneous applications are also disposed of.

5. List on 4th July, 2018 for compliance.

PRATHIBA M. SINGH, J.

JANUARY 24, 2018/dk