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

+ RFA 464/2016

IQBAL SINGH

..... Appellant

Through: Mr. R.S.Tomar and Mr. Sumit Tomar,
Advocates.
Appellant in person.

versus

BIRMATI

..... Respondent

Through: Mr. Jitender Tanwar, Advocate
Respondent in person.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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10.07.2018

CM No.26666/2018 (Under Order 23 Rule 3 CPC) & RFA 464/2016

1. This First Appeal is filed against the impugned judgment dated 12.4.2016 dismissing the suit for specific performance etc. filed by the appellant/plaintiff.
2. Now the parties have settled their disputes in terms of the Settlement Agreement dated 25.6.2018 whereby the respondent/defendant has agreed to execute the title documents in favour of the appellant/plaintiff as per the terms stated in the Settlement Agreement dated 25.6.2018.
3. Since parties have settled their disputes and have filed the Settlement

Agreement dated 25.6.2018 which is signed by them, this appeal and the suit would stand disposed of as per the agreed terms stated in the Settlement Agreement dated 25.6.2018. Decree sheet be accordingly drawn up.

4. Since the original consideration with respect to the suit property was a sum of Rs.12,80,000/- and which has now been increased to a sum Rs.59,80,000/-, the appellant will pay the court fees on the difference of the amount of Rs. 59,80,000/- and 12,80,000/- in this Court within a period of two weeks from today. It is clarified that no decree shall be drawn up unless the appellant/plaintiff pays the difference in the court fees.

5. Accordingly, the application under Order 23 Rule 3 CPC is allowed and the appeal is accordingly disposed of in terms of the present order and the Settlement Agreement dated 25.6.2018, leaving the parties to bear their own costs.

VALMIKI J. MEHTA, J

JULY 10, 2018
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