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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **CS(OS) 568/2016****PRABHAT JAIN**

Through

..... Plaintiff

Ms. Ekta Sikri with Mr. Ishwer
Upneja, Advocates.

Mr. Prabhat Jain, plaintiff in person.

versus

NEERA NATH A.K.A NEERA RANI & ORS Defendants

Through

Mr. Virag Gupta with Mr. Gaurav
Pathak and Miss Vanya Gupta,
Advocates for D-1 to 3.Ms. Neera Nath, D-1, Mr. Divesh
Nath, D-2 and Mr. Rohit Nath, D-3 in
person.Mr. Pravir K. Jain with Mr. Shekhar
Kumar, Advocates for D-5.

Mr. Arun K. Jain, D-5 in person.

CORAM:**HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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03.05.2018**I.A. 6034/2018**

Present joint application has been filed by plaintiff and defendant nos. 1 to 3 under Order 23 Rule 3 read with Section 151 CPC. The same is duly signed by learned counsel for the plaintiffs and defendant nos. 1 to 3 as well as by the said parties.

Present application is also supported by affidavits of plaintiff and the defendant nos. 1 to 3.

At the outset, at the request of learned counsel for the plaintiff and defendant nos. 1 to 3, defendant nos. 4 to 6 are deleted from the array of parties since no relief is claimed against them. However, defendant no. 4-Bank is directed to comply with the directions regarding release of amounts in accordance with the settlement within one week. A copy of the Settlement Agreement be furnished to the Bank (defendant no.4) forthwith. Let a fresh memo of parties be filed by learned counsel for the plaintiff within three days.

Both the learned counsel for plaintiff and defendant nos. 1 to 3 state that the matter has been compromised in accordance with the terms mentioned in the Settlement Agreement dated 25th April, 2018 arrived at between the parties before the Delhi High Court Mediation and Conciliation Centre.

Both the learned counsel further assure and undertake to this Court that the parties shall comply with the Settlement terms mentioned in the aforesaid Settlement Agreement.

The aforesaid statements, assurances and undertakings as well as undertakings given by learned counsel for the plaintiff and defendant nos. 1 to 3 parties are accepted by this Court and the said parties are held bound by the same.

This Court has also perused the present compromise application and is of the opinion that the same is lawful.

Consequently, the suit is decreed in accordance with the Settlement Agreement dated 25th April, 2018, which is marked as Ex. C-1, which shall form part of the decree. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to the plaintiff a certificate authorizing him to receive back from the Collector full amount of the Court fee paid by him in the present suit. Registry is further directed to issue TDS certificate as well as release the amounts lying deposited in the Court, particularly the amount lying deposited in favour of the Registrar of this Court vide order dated 23rd August, 2017 along with the interest accrued thereon to the plaintiff within one week.

For the aforesaid purpose, list before the Joint Registrar on 9th May, 2018.

With the aforesaid observations, present application is allowed and the suit and all pending applications stand disposed of. The interim order dated 7th November, 2016 stands vacated. The next date of hearing i.e. 29th July, 2018 stands cancelled.

Order dasti under the signature of the Court Master.

MANMOHAN, J

MAY 03, 2018

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