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

+ **W.P.(C) 11159/2018 & CM APPL. 43388/2018**

**PHOENIX ARC PRIVATE LIMITED ACTING IN ITS CAPACITY
AS TRUSTEE OF PHOENIX TRUST FY 17-3 Petitioner**

Through: Mr.Parag Tripathi, Senior Advocate
with Mr.Suresh Dobhal, Ms.Sonakshi
Dhiman and Ms.Mishika Bajpai,
Advocates.

versus

DSC LIMITED & ORS

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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22.11.2018

By the present writ petition, the petitioner seeks the following relief:

“a. Issue a writ of Mandamus or any other writ or order, thereby, directing for immediate and due implementation and enforcement of Order(s) dated 26.05.2016, 31.05.2016 and 18.10.2016, passed by this Hon’ble Court in W.P.(C) No.4976 of 2016 and Order dated 03.10.2016 passed by learned DRT-I, Delhi, in O.A. No.166 of 2016 and consequential direction for immediate restoration/ handover of peaceful vacant physical possession of the Mortgaged Property bearing no.3, Golf Links, New Delhi, to the Petitioner, and/or

b. Pass any other or further orders which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

The grievance of the petitioner is that the settlement as agreed has not been honoured and the possession has not been handed over.

After some hearing, Mr.Parag Tripathi, learned senior counsel appearing on behalf of the petitioner submits that he would make an application in the disposed of writ petition bearing Writ Petition (C) No.4976/2016, where the parties have arrived at an amicable settlement.

The writ petition is dismissed as withdrawn with the liberty as prayed.

G.S.SISTANI, J

JYOTI SINGH, J

NOVEMBER 22, 2018

SSC

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