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

+ W.P.(C) 10494/2017 and C.M. No. 42934/2017

RAJENDER ARYA Petitioner

Through: Mr. R.K. Gupta, Advocate.

versus

REGISTRAR COOPERATIVE SOCIETY NCT DELHI AND ANR.

..... Respondents

Through: Mr. Santosh Kumar Tripathi, ASC with
Ms. Shivangi Singh and Mr. Shashank Tiwari,
Advocate for R-1.

Mr. J. N. Gupta, Advocate for R-2 to 5.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **01.10.2018**

C.M. No. 45076/2017 (by the petitioner u/s 151 CPC for impleadment)

1. This application has been filed by the petitioner praying *inter alia* that he may be permitted to amend the memo of parties and include the name of Mrs. Shalini Arya, wife of the petitioner No.1, whose name had inadvertently not been mentioned in the memo of parties originally filed.
2. Learned counsel for the respondents states that he has no objection to the present application being allowed.
3. Accordingly, the application is allowed and disposed of. Amended memo of parties is taken on record.

C.M. No. 36248/2018 (joint application by the petitioner and the respondent No.2)

1. The present application has been filed by the petitioner and respondent No.2/Society stating *inter alia* that they have arrived at a settlement vide Settlement Agreement dated 18.8.2018, executed before the Delhi High Court Mediation and Conciliation Centre. On the last date of hearing, when the present application was listed, on perusing the Settlement Agreement dated 18.8.2018, enclosed with the application and marked as Annexure-A, it had transpired that the petitioner and the respondent No.2/Society had agreed that his name and that of his wife, Mrs. Shalini Arya, who was not a party in the memo of parties originally filed, be switched in the record of the respondent No.2/Society in the following manner:-

Mr. Rejender Arya and Mrs. Shalini Arya.

2. On noting that Mrs. Shalini Arya was not a signatory to the Settlement Agreement and nor had she filed an affidavit in support of the said application, the matter was adjourned for learned counsel for the petitioner to file an affidavit of Mrs. Shalini Arya, for confirmation of the terms and conditions of the settlement recorded in the Settlement Agreement.

3. Mr. Gupta, learned counsel for the petitioner states that petitioner No.2, Mrs. Shalini Arya, has filed an affidavit dated 07.9.2018, wherein she had made a request that her husband be transposed in the joint membership by swapping his name before her's in records of the respondent No.2 /Society.

4. For the reasons stated in the application, the same is allowed and disposed of.

W.P.(C) 10494/2017

In view of the settlement arrived at between the petitioner and the respondent No.2/Society, the writ petition is disposed of along with the pending application while binding the parties to the terms and conditions of the Settlement Agreement dated 18.8.2018, referred to hereinabove.

HIMA KOHLI, J

REKHA PALLI, J

OCTOBER 01, 2018

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