

\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

RSA 218/2016 & C.M.No. 18093/2018

RAJIV GUPTA

..... Appellant

Through: Mr. Som Dutta Sharma and
Mr. Gaurav Bhardwaj, Advocates
with Appellant in person.

Versus

SUNIL KUMAR SINGHAL

..... Respondent

Through: Mr. Suresh Chaudhary and Mr. Gagan
Kumar Singhal, Advocates with
Respondent in person.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **03.05.2018**

C.M.No. 18093/2018 & RSA 218/2016

This application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 seeks disposal of the appeal in terms of the settlement arrived at between the parties. The application has been signed by the parties as well as by their respective counsel. It is also supported by the affidavits of both the parties. A copy of the Memorandum of Settlement ('Settlement') dated 28.04.2018 has been filed.

The learned counsel for the parties submit that no lis survives. The parties assure and undertake that they will abide by the terms of the Settlement. Their undertaking is accepted.

It is submitted that the peaceful possession of the properties admeasuring 15.3 feet, 79.6 feet, 11.9 feet and 81.9 feet, as marked in the map attached to the Memorandum of Settlement, shall be handed over by the respondent to the appellant on or before 05.06.2018. Let it be so done. The parties shall file an affidavit of undertaking in terms of this order. A decree shall be drawn up in terms of the Settlement as well as this order.

The application is allowed and the appeal stands disposed off in the above terms.

NAJMI WAZIRI, J.

MAY 03, 2018

sb