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

+ CS(OS) 262/2018

YOGESH KUMAR

..... Plaintiff

Through Mr.Harish Sharma and Mr.Satish
Rana, Advs.

versus

MRS. SANTOSH PANDEY

..... Defendant

Through Mr. Medhanshu Tripathi, adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **14.01.2019**

IA No. 442/2019

This application is filed under Order 23 Rule 3 CPC seeking withdrawal of the suit in terms of the compromise deed.

The parties have entered into a Compromise Deed dated 27.12.2018 and also a Deed of Cancellation of the same date. The terms of the Compromise Deed are legal and valid. In terms of the compromise deed, the defendant was to pay to the plaintiff a sum of Rs. 1,20,00,000/- which the plaintiff has duly received. The agreements to sell dated 02.11.2015 and 02.05.2016 stand cancelled in terms of the Deed of Cancellation.

The application is allowed.

CS(OS) 262/2018

In view of the above, learned counsel for the plaintiff wishes to

withdraw the suit.

The suit is dismissed as withdrawn.

All pending applications also stand dismissed.

As the matter has been settled by compromise, under Section 16A CPC the plaintiff shall be entitled to refund of 50% of the court fees.

JAYANT NATH, J

JANUARY 14, 2019

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