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

+ C.R.P. 85/2016 & CRL.M.A.20983/2016

PREM PRAKASH GOELA & ORS Petitioners
Through: Mr.Sunil Mittal, Sr.Advocate with
Mr.Dhruv Grover, Advocate.

versus

RAJEY ARORA & ORS Respondents
Through: Mr.Akshay Makhija, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **22.10.2019**

**C.R.P.85/2016 & CM APPL.20983/2016 (for stay) & CM APPL.
/2019 (to be numbered)**

1. A joint application under Order XXIII Rule 3 CPC has been filed in Court today. Same is taken on record. Registry is directed to number the application and register the same.
2. Petitioner impugns order dated 03.02.2016 whereby the Trial Court had held that the Suit had abated in part. Petitioner had impugned the order contending that the Suit abates as a whole.
3. Parties have settled their disputes and terms of settlement are recorded in paragraph 7 of the application.
4. In terms of the settlement, the petitioners have agreed to pay a sum of Rs.10 lakhs to the respondents in the manner as contained in paragraph 7 (ii) of the application. Four demand drafts bearing Nos.502352 dated

07.10.2019 for Rs.1,66,666/-; 502355 dated 07.10.2019 for Rs.1,66,668/-; 502353 dated 07.10.2019 for Rs.1,66,666/- and 502354 dated 07.10.2019 for Rs.5,00,000/- have been handed over in Court today. The respondents have agreed to withdraw their claim filed in the suit.

5. All the applicants are present in Court except Mr.Rajey Arora who is stated to be residing in Mussoorie. An affidavit in support of the application has been filed by him in Court.

6. Learned counsel for the parties under instructions submit that the parties have settled their disputes and pray that the present proceedings be disposed of in terms of the settlement as recorded in the application.

7. Learned counsel for the respondents under instructions submits that respondents agree to withdraw Suit No.37/2013 and undertake not to press any claim of possession with regard to property bearing no.3, Goela Lane, Underhill Road, Civil Lines, Delhi.

8. The undertaking is accepted. The suit filed by the respondents pending in the Court of Civil Judge, Tis Hazari (Central), Delhi is directed to be dismissed as withdrawn.

9. In view of the settlement, the application and the present petition is also disposed of.

10. Order *dasti* under the signature of the Court Master.

SANJEEV SACHDEVA, J

OCTOBER 22, 2019

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