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

+ **CS(COMM) 690/2019 & I.A. 17739/2019**

SHAKUNTALA NATH & ANR. Plaintiffs

Through: Mr.Sunil Magon, Advocate with
Plaintiff No.2 in person.

versus

RAJEEV DHINGRA Defendant

Through: Mr.Jaspreet Singh Rai, Mr.Rohit
Nagpal & Ms.Sukhdeep Kaur,
Advocates

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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06.02.2020

1. The parties were referred to mediation by an order dated 13.12.2019.
2. Learned counsel for the parties state that mediation proceedings have resulted in settlement agreement dated 30.01.2020. A copy of the settlement agreement has also been placed on record. The terms of settlement are contained in clauses 1 to 10 of the said agreement.
3. The agreement has been signed by plaintiff No.2, on his own behalf and on behalf of plaintiff No.1, who is his mother; and by the defendant. An authority letter issued by plaintiff No.1, authorising plaintiff No.2 to represent her in mediation proceedings and enter into a compromise or settlement has also been annexed to the settlement agreement. The settlement agreement is also signed by learned counsel

for both the parties and by the learned mediator. Learned counsel for the parties submit that their clients undertake to abide by the terms of the settlement agreement and seek a decree in terms thereof.

4. Having heard learned counsel for the parties and considered the material placed on record, I am of the view that there is no impediment to grant of a decree as sought. The suit is therefore decreed in terms of the settlement agreement dated 30.01.2020. Decree sheet be prepared accordingly. A copy of the settlement agreement will be annexed to the decree.

5. In terms of clause 4 of the settlement agreement, learned counsel for the defendant has handed over seven cheques to learned counsel for the plaintiff in Court, which has been accepted by learned counsel for the plaintiff. Learned counsel for the defendant also states that the defendant will file an affidavit of undertaking in terms of clause 1 of the settlement agreement within one week.

6. In view of the fact that the parties have entered into a mediated settlement, the plaintiff is entitled to refund of court fees under Section 16 of the Court Fees Act, 1870. The Registry will issue a certificate to this effect.

7. The suit and all pending applications stand disposed of in the above terms.

PRATEEK JALAN, J

FEBRUARY 06, 2020

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