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

+ **CS(OS) 648/2019**

SUKUL MOHAN BAGAI

..... Plaintiff

Through: **Mr.Devendra Verma, Proxy Counsel**
with Plaintiff in person.

versus

NEENA BAGAI & ANR.

..... Defendants

Through: **Mr.Viren Kapur, Proxy Counsel**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **20.02.2020**

I.A. 2444/2020 (joint application under Order XXIII Rule 3 & 3A and Section 151 of the CPC) in CS(OS) 648/2019 & I.A. 17625/2019 (under Order VII Rule 14 of the CPC)

1. This is an application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908. It is stated that the disputes between the parties have been settled on the terms contained in paragraph 4 of the application.
2. Learned proxy counsel for both sides are present and request that a decree be passed in terms of the settlement between the parties.
3. The application is signed by the plaintiff and both the defendants, as well as by their counsel. It is also supported by affidavits of all three parties.
4. Having regard to the material placed on record, and the submissions of the learned proxy counsel for the parties, I do not find any impediment to the grant of a decree in terms of the settlement between the parties. The suit

is therefore decreed in the terms contained in paragraph 4 of the application. Decree sheet be prepared accordingly. A copy of the application will form part of the decree.

5. As the settlement has been arrived at a preliminary stage of the proceedings, prior to recording of evidence, the plaintiff is entitled to refund of 50% of the court fees under Section 16A of the Court Fees Act, 1870. The Registry will issue a certificate to this effect.

6. The suit and all pending application(s) are disposed of in the above terms.

PRATEEK JALAN, J

FEBRUARY 20, 2020

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