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

\+ CM APPL. 13422/2020 in RFA 221/2019

M/S ROMESH INDUSTRIES

..... Appellant

Through: Mr. Aman Dhyani, Mr. Sandeep Sharma, Ms. Kanchan Semwal, Advs. with Ms. Veena Malhotra, partner of the appellant.

versus

HEMANT KANWAR

..... Respondent

Through: Mr. Naresh Kumar Garg, Adv. with Mr. Hemant Kanwar.

CORAM:
HON'BLE MR. JUSTICE A.K. CHAWLA

O R D E R

% 26.06.2020

(Video Conference Hearing)

CM APPL. 13422/2020 & RFA 221/2019

By the instant application filed under Order XXIII Rule 3 read with Section 151 CPC, the parties seek to bring on record the settlement-cum-surrender deed dated 20.06.2020 with consequent disposal of the appeal. Ms. Veena Malhotra - stated to be the partner of the appellant firm, affirms her signatures on the settlement-cum-surrender deed. Mr. Dhyani, ld. counsel for the appellant also identifies his own signatures on the application dated 20.06.2020 which forms part of the PDF file at pages 148 to 150. Mr.

Hemant Kanwar who is stated to be the proprietor of the respondent, identifies his signatures on the settlement-cum- surrender deed annexed to the application dated 20.06.2020 and so does Mr. Garg, ld. counsel for the respondent, whose signature is also appearing on the second page of the application i.e. at page 149 of the PDF file. Both the parties as also the ld. counsel for the parties submit that the parties have arrived at the said settlement out of their own free will and volition and under the settlement so arrived at, the key of the premises subject matter of the appeal towards delivery of physical possession is said to have been delivered to Ms. Veena Malhotra through her counsel Mr. Dhyani who affirms so before the Court. Mr. Hemant Kanwar through his counsel Mr. Garg also affirms that he has received a sum of Rs.2 lacs by way of a Pay Order drawn on ICICI Bank dated 19.06.2020.

Taking the statements of the parties as also the settlement-cum-surrender deed on record, the application is allowed. In pursuance of the settlement so arrived at, the appeal along with pending applications stands disposed of being finally settled.

A. K. CHAWLA, J

JUNE 26, 2020
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