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

+ I.A. 7381/2020 in CS(OS) 355/2019

S. DAVINDER PAL SINGH NARANG & ANR.Plaintiffs

Through: Mr. Sunil Kumar Narula, Adv. with
plaintiffs in person

versus

S. PARAMJEET SINGH CHAWLA & ORS. Defendants

Through: Mr. Lokesh Bhola and Mr. Sanchit
Gawri, Advs. for defendant nos. 1, 6
and 7

Mr. Madhur, Adv. for defendant no. 2

Mr. Sargam Aggarwal, Adv. for
defendant no. 3

Ms. Aparna Gupta, Adv. for defendant
no. 4

Mr. Archit Upadhyay, Adv. for
defendant no. 5

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

26.08.2020

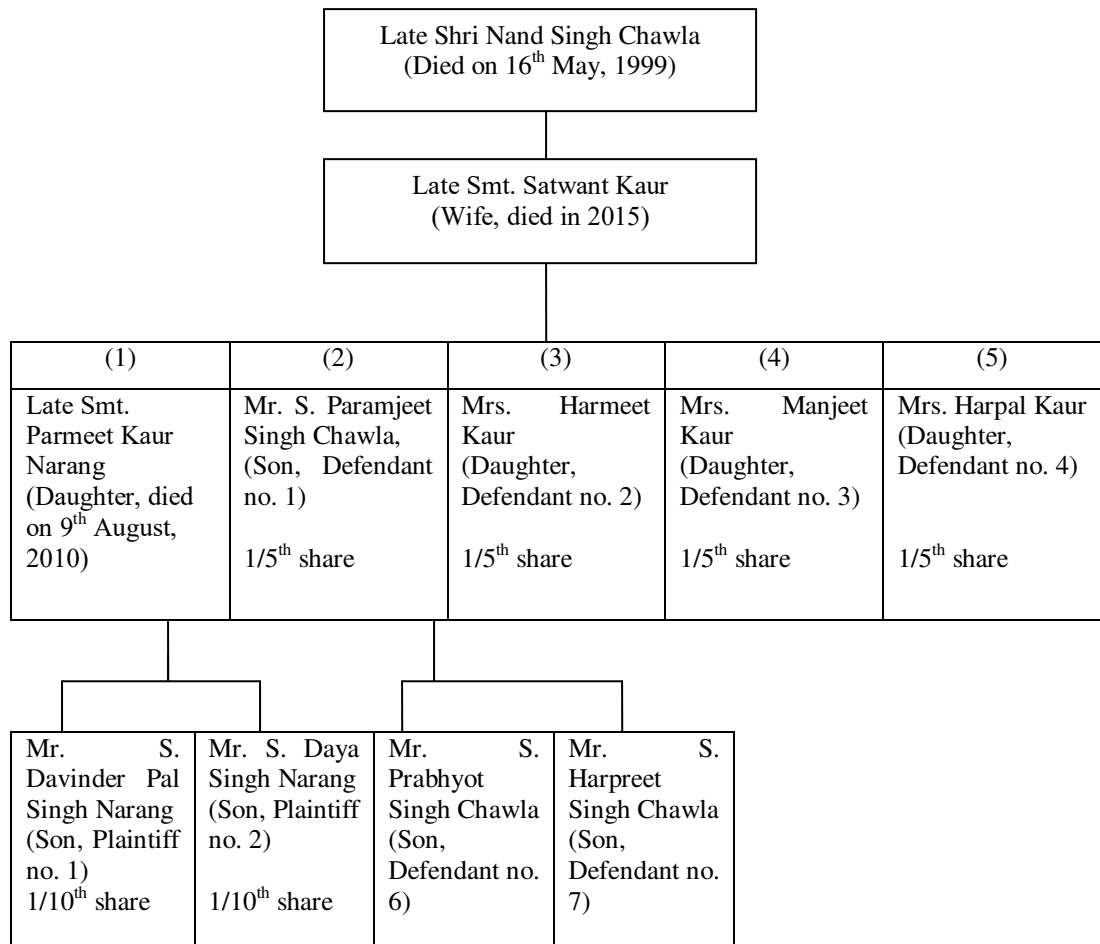
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(Video-conferencing)

I.A. 7381/2020 (under Order XXIII Rule 3 of the CPC) in CS(OS) 355/2019

1. This is an application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (CPC), for decreeing of the suit, in view of the Memorandum of Understanding, dated 22nd August, 2020, whereby the disputes between the parties have been amicably settled. A copy of the Memorandum of Understanding, dated 22nd August, 2020, is annexed as Annexure A-1 to this application.

2. The suit was filed for partition, declaration, possession, permanent and mandatory injunction. The relationship between the parties may be depicted by the following family tree:



3. By the aforesaid Memorandum of Understanding, dated 22nd August, 2020, the disputes stand settled between the parties. The parties are present before me in person, accompanied by their learned counsel. Mr. Sunil Kumar Narula, learned counsel appears on behalf of the plaintiff, Mr. Lokesh Bhola, learned counsel appears on behalf of the Defendant nos. 1, 6 and 7, Mr. Madhur, learned counsel appears on behalf of the Defendant no. 2, Ms. Sargam Narula, learned counsel appears on behalf of the Defendant no. 3, Ms. Aparna Gupta, learned

counsel appears on behalf of the Defendant no. 4 and Mr. Archit Upadhyay, learned counsel appears on behalf of the Defendant no. 5.

4. The parties as well as their learned counsel have verified, before the Court, that the aforesaid Memorandum of Understanding, dated 22nd August, 2020, has been arrived at between them with their due will and volition and without any coercion by the parties and represent their sincere desire to bring a quietus to the disputes between them.

5. In view thereof, the application is allowed. The suit is decreed, in terms of the Memorandum of Understanding, dated 22nd August, 2020, which shall constitute an annexure to this order.

6. All parties agree to remain bound by the terms of the aforesaid Memorandum of Understanding.

7. Decree-sheet be drawn up accordingly.

8. Apropos the prayer (b) in the application, which seeks refund of the court fee paid by the plaintiffs, it is clarified that plaintiffs are entitled to refund court fee in accordance with Rules, and the Registry is instructed accordingly.

9. The application is disposed of in the above terms.

C. HARI SHANKAR, J.

AUGUST 26, 2020/r.bararia

CS(OS) 355/2019

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