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

CM APPL. 42786/2019, 45056/2019, 45118/2019 & 46962/2019 in
+ RFA 849/2019

DHANJIT SINGH NANDA Appellant
Through Mr. Vinod Kr., Advocate with Ms.
Geeta Nanda and Ms. Kavita Nanda
in person.

versus

M/S DELFAB GLOBAL PVT LTD Respondent
Through Mr. V.K. Ohri, Advocate.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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21.08.2020

(Video Conference Hearing)

CM APPL. 14618/2020 (under Order 23 Rule 3 CPC)

By the instant application filed under Order 23 Rule 3 CPC read with Section 151 CPC the appellant, in effect, seeks disposal of the appeal in terms of the compromise/settlement arrived at amongst the parties. The appeal is preferred against the decree of money passed by the Id. District Judge in pursuance of the judgment dated 31.07.2019.

During trial, the appellant had taken the plea of being neither the proprietor nor the partner of M/s. Paragon Buying House. In pursuance of the directions issued on the last date, the affidavits of Ms. Geeta Nanda and Ms. Kavita Nanda, who claim to be the partners of M/s. Paragon Buying House have come to be filed. They are the wife and daughter respectively,

of the appellant and have given their no objection to the settlement arrived at where-under the amounts lying deposited with the Registrar General of the Court may be released in terms of the compromise/settlement arrived at amongst the parties to the appeal.

Taking note of the affidavits filed by Ms. Geeta Nanda and Ms. Kavita Nanda and the fact that the appellant is the *dominus litis* and no legal infirmity is seen in arriving at the subject settlement, the appeal is disposed of in terms of the settlement deed dated 01.07.2020, which forms part of the PDF at page 355 onwards. The Registry shall do the needful for the release of the amounts lying deposited with the Id. Registrar General as early as feasible.

In view of the compromise arrived at amongst the parties, the admissible court fee in consonance with the statutory provisions of the Court Fees Act be also returned to the concerned party(ies). Appeal and the pending applications are disposed of in the said terms.

A. K. CHAWLA, J

AUGUST 21, 2020

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