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

+ **CS(OS)No.170/2016**

SH PAWAN KUMAR SHARMA & ORS.Plaintiffs
Through : Mr. Abhinav Tyagi, Adv.

versus

SH MOTI LAL JAINDefendant
Through : Mr. Anuj Jain, Adv.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

O R D E R

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28.07.2020

[Court hearing convened *via* video-conferencing on account of COVID-19]

I.A. No. 5631/2020

1. According to the counsel for the parties, two stages i.e. the first stage and the third stage, out of the four stages of the settlement arrived at between them, which forms part of the Memorandum of Settlement dated 13.03.2020 [in short "MOS"] are over.
2. The second and fourth stage, according to the counsel for the parties, will follow the withdrawal of the instant suit by the plaintiff.
3. The prayer made in the captioned application is as follows:

"It is, therefore, most respectfully prayed that the present suit be disposed off and/or allowed to be withdrawn in terms of Memorandum of Settlement dated 13.03.2020 after delivery of title documents of the suit property by plaintiffs to defendant and after payment of Rs.40 lacs by defendant to plaintiffs in terms of present applic

4. Consequently, as prayed before me by Mr. Abhinav Tyagi, who appears for the plaintiffs, the instant suit shall stand withdrawn.
5. The Parties will comply with the terms of the MOS which is otherwise lawful by adhering to the same.
6. The captioned application is disposed of in the aforesaid terms.

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7. In view of the order passed today in I.A. No. 5631/2020, no further orders are called for in the instant suit.
8. The suit will be decreed in terms of what is stated hereinabove *qua* I.A. No. 5631/2020. The MOS shall form part of the decree. It will be marked as Exhibit- 'X'.
9. Resultantly, pending applications shall stand closed.
10. Since the parties have settled the matter, *albeit* after four (4) years, 25 percent of the Court fee shall be refunded to plaintiffs.
11. The Registry will take requisite steps in that behalf.

RAJIV SHAKDHER, J

JULY 28, 2020
Rb/KK

Click here to check corrigendum, if any