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

+ **RFA(OS) 84/2016, C.M. Nos. 38912/2016 & 38913/2016**

DR JANG BAHADUR SINGH

..... Appellant

Through: Mr. N.N. Sarvaria and Mr. Deepak
Agarwal, Advocates.

versus

JASMOHAN SINGH & ORS

..... Respondents

Through: Mr. Mahendra Rana and Mr. Gaurav
Varma, Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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08.01.2020

1. This order is in continuation of the order dated 05.12.2019, on which date, an unsigned copy of the minutes of the meeting of the mediation held between the parties on 07.6.2019 along with a list of pending cases between the parties was handed over and taken on record.
2. We may note that both sides have appointed Justice S.N. Dhingra (retired) as a Mediator to settle all the cases pending between them, as appended in the list of pending cases mentioned above. The said list includes the present appeal at Sr. No.20.
3. On the last date of hearing, Mr. Sarvaria, learned counsel for the appellant had stated that though an application had been filed by the appellant in the Registry, seeking withdrawal of the present appeal, his client had instructed him not to pursue the same as the respondent No. 1 had not

taken reciprocal steps to withdraw a litigation filed by him against the appellant and pending in the U.S. Superior Court. In response, Mr. Rana, learned counsel for the respondents No. 1 to 4 had conceded that steps had yet to be taken by his client to withdraw the petition pending before the U.S. Superior Court.

4. Today, Mr. Rana, learned counsel for the respondents No.1 to 4 hands over a copy of the order dated 19.12.2019, passed by the Worcester, Superior Court whereunder, both parties through their respective counsel have agreed that all claims and counter claims asserted in the said appeal be deemed to be dismissed with prejudice with all rights of appeal waived. A copy of the said order is taken on record.

5. In view of the fact that the respondent No. 1 has now taken appropriate steps of withdrawing the appeal pending in the US Superior Court and further, noting that both parties have of their free will and volition submitted themselves to mediation for a comprehensive out of court settlement of their disputes including the dispute subject matter of the present appeal, nothing further survives for adjudication. The appeal is accordingly disposed of along with the pending applications.

HIMA KOHLI, J

ASHA MENON, J

JANUARY 08, 2020

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