

\$~7

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

% *Date of Decision: 11<sup>th</sup> January, 2023*

+ C.R.P. 1/2018

GURNAM SINGH & ORS. .... Petitioners

Through: Mr. Dinesh Garg, Advocate  
with Petitioner No. 2-in-person (through  
VC).

versus

RAMA ..... Respondent

Through: Ms. Renu Gupta, Advocate  
with Respondent-in-person.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**JUDGEMENT**

**JYOTI SINGH, J. (ORAL)**

1. This revision petition has been filed challenging an order dated 09.11.2017 passed by the Trial Court in CS No. 15068/2016 whereby an application under Order 12 Rule 6 CPC filed by the Petitioners/ Plaintiffs has been dismissed.

2. After some hearing, parties who are present in Court *albeit* Petitioner No. 2 is appearing through video conferencing have arrived at a settlement. Respondent submits that although there is no admission made by her before the Trial Court enabling the Petitioners to obtain a decree under Order 12 Rule 6 CPC, however, to put a quietus to the litigation, she does not claim any right in the suit property and will be satisfied if some time is given to her to vacate the suit property and directions are given to the Petitioners to compensate her in terms of money, as she is a widow and has no source of livelihood except for some part time household chores that she does as a domestic help in some houses.

3. Learned counsel for the Petitioners, on instructions, submits that in lieu of payment of money to the Respondent, Petitioners are willing to give up their claim for mesne profits and damages and are also ready and willing to give a period of six months to the Respondent to vacate the suit property subject, however, to the Respondent giving an undertaking before this Court that she will vacate the suit property within six months and will cooperate with the Petitioners in quashing FIR bearing No. 526/2015, P.S. Palam Village, under Section 354, 354-A, 509, 447, 448, 452 and 34 IPC, before the Appropriate Court.

4. Settlement arrived at between the parties is recorded by the Court. Respondent shall file an affidavit of undertaking within a period of two weeks from today that she shall vacate the suit property on or before expiry of six months from today. Petitioners shall not press their claim for mesne profits/damages before the Trial Court and statement to that effect will be made before the Trial Court. Respondent shall cooperate in quashing the FIR aforementioned before the Appropriate Court and shall vacate the suit property on or before expiry of six months from today. Parties shall remain bound by the terms of the settlement.

5. Revision petition stands disposed of in terms of the above settlement.

**JYOTI SINGH, J**

**JANUARY 11, 2023/rk/shivam**