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

+ **CS(OS) 75/2023 & I.A. 1958/2023, I.A. 40689/2024**

SHEIKH BADRUL ABIDIN & ANR.Plaintiffs

Through: Mr. Jai Shah Endlaw, Mr. Zubin
Manmen John, Ms. Sagarika Kaul,
Advocates along Plaintiff in person

versus

MANZOOR UL ISLAM AND ORSDefendants

Through: Mr. Varun S Ahuja, Ms. Ridhi
Kapoor, Mr. Himanshu Sharma,
Advocates for D-1 alongwith D-1 in
person
Mr. Vinod Sharma, Advocate along
with D-10 in person
Mr. M.F. Nizami, Advocate for D-2
to D-5.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 19.11.2024

CS(OS) 75/2023 and I.A. 40689/2024 (under Order XXIII Rule 3 CPC)

1. This is a joint application under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 for taking on record the settlement agreement dated 29.07.2024 executed between the parties and to decree the suit in terms of the said agreement.
2. It is stated in the application that the suit property has been partitioned by metes and bounds between the parties and the respective demarcated



share of each of the parties is as under:

Party	Portion in the site plan	Measurement	Description
Plaintiff No. 1, Plaintiff No. 2, Defendant No. 2, Defendant No. 3, Defendant No. 4, Defendant No. 5	Red Colour	454 Sq. Yds	North: Green Portion, South: Yellow Portion East: Private Lane, West: Main Phoota Road
Defendant no. 1	Yellow Colour	454 Sq. Yds	North: Red Portion, South : Property bearing no. 4926, East: Private Lane, West: Main Phoota Road
Defendant no. 10	Green Colour	454 Sq. Yds	North: Property bearing No. 4922, South: Red Portion of the suit property, East: Private Lane, West: Main Phoota Road

3. It is stated that the application is duly supported with the affidavits of the parties to the settlement agreement.
4. The parties are present and are identified by the respective lawyers.
5. The plaintiff no. 1 is present in Court and states that he also holds the power of attorney on behalf of plaintiff no. 2, defendant nos. 2, 3, 4 and 5.
6. Defendant no. 1 is represented through his Power of Attorney, Mr. Rashid Manzoor.
7. Defendant no. 10 i.e., M/s M.U. Buildcon Pvt. Ltd. is represented through its Director, Mr. Faisal Meharban.



8. The parties as well confirm execution of the settlement agreement dated 29.07.2024 and filing of the present application.
9. The parties' state that the partition of the suit property by metes and bounds is duly recorded in the settlement agreement dated 29.07.2024 and reflected in the colour site plan annexed with the said settlement agreement as Annexure F.
10. This Court has perused the terms of the settlement agreement dated 29.07.2024 and is satisfied that the same is lawful. Accordingly, the present application is allowed and the settlement agreement dated 29.07.2024 is taken on record.
11. The suit is decreed in terms of the settlement agreement dated 29.07.2024 executed between the parties. The registry is directed to draw up a final decree in terms of thereof. The settlement agreement dated 29.07.2024 along with annexures A to F thereto shall form part of decree. The site plan annexed at Annexure F of the settlement agreement, which in colour copy, shall form part of the decree in its coloured form.
12. Pending applications stand disposed of.
13. Interim orders, if any, stand vacated and all future dates are hereby cancelled.
14. Learned counsel for the parties state that Mr. Amit Andley, learned Mediator had extensive meetings with the parties over a period of 10 months which played a crucial role in bringing about the settlement. The parties thus, express their gratitude to the learned Mediator for the constructive role played in bringing about the settlement.
15. This Court takes on record the said statement of the parties and their counsels and record its appreciation for the learned Mediator's efforts in



bringing about the settlement.

MANMEET PRITAM SINGH ARORA, J
NOVEMBER 19, 2024/mt/MG
Click here to check corrigendum, if any