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

+ **CS(OS) 125/2024**

NAVEEN TANDON

..... Plaintiff

Through: Mr. Arjun Malik, Mr. Arun Malik,
Ms. Aarati Malik, Advocates.

versus

INDRA MALIK & ORS.

..... Defendants

Through: Ms. Merlin Mathew, Advocate for
D-1 and D-2 (in person).
Ms. Vrinda Awasthi, Advocate for
D-3 and 4 with Ms. Sunita Tandon
(D-3) in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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30.04.2024

I.A. 9600/2024 (under Order 23 Rule 3 of CPC) & CS(OS) 125/2024

1. The parties have filed I.A. 9600/2024 for decree of the suit in terms of a mediated settlement agreement dated 22.03.2024.
2. The settlement agreement has been placed on record. It is signed by the plaintiff and the four defendants, defendant No. 4 being represented by her mother – Smt. Sunila Tandon, who is also arrayed as defendant No. 3. It is also signed by learned counsel for the parties and the learned Mediator.
3. Defendant No. 4 is resident outside India. During the course of mediation, she authorised her mother (defendant No. 3) to represent her



and sign the settlement agreement on her behalf. An email dated 22.03.2024 has been annexed to the settlement agreement. Defendant No. 4 has subsequently executed a special power of attorney, authorising her mother to act on her behalf in this suit. The power of attorney dated 09.04.2024 has also been placed on record.

4. The application is also signed by all the parties and their counsel, and supported by their affidavits. The parties (defendant No. 4 being represented by defendant No. 3) are also personally present before the Court and are represented by counsel. They seek a decree in terms of the settlement agreement dated 22.03.2024.

5. Having regard to the aforesaid facts, I do not find any impediment to the grant of a decree as sought.

6. The application is, therefore, allowed and the suit is decreed in terms of the settlement agreement dated 22.03.2024. Decree sheet be prepared accordingly. The settlement agreement will form part of the decree.

7. The suit and all pending applications are disposed of in these terms.

8. Having regard to the fact that the suit has been settled in mediation, the Registry is directed to return the court fees to the plaintiff in terms of Section 16 of the Court Fees Act, 1870.

PRATEEK JALAN, J

APRIL 30, 2024

'Bhupi'/'