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

+ W.P.(C) 1065/2019

BAIN SINGH & ORS

.....Petitioners

Through: Mr. Himansh Vats, Advocate
versus

GOVT. OF NCT OF DELHI & ORS

.....Respondents

Through: Mr. Rishikesh Kumar, ASC, GNCTD
with Ms. Sheenu Priya, Mr. Atik Gill, Mr. Sudhir
Kumar Shukla and Mr. Sudhir, Advocates for
GNCTD.

Mr. Rakesh Sinha, Mr. Jeemon Raju K., Md.
Ghulam Akbar and Mr. Sushant Shekhar,
Advocates for R-4 and 5.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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19.07.2024

CM APPL. 40030/2024 (joint application for recording compromise and withdrawal of writ petition)

1. This is a joint application preferred on behalf of Petitioners No.1 and 2 and Respondents No.4 and 5 under Order 23 Rule 3 read with Section 151 CPC for recording compromise between the parties and withdrawal of the writ petition. At the outset, it is stated that Petitioner No.3 has expired on 10.11.2023. Death Certificate has been placed on record.

2. It is stated in the application that Petitioners No.1 and 2, namely, Sh. Bain Singh and Smt. B. Nagarattam @ Ratna are absolute owners and in physical possession of agricultural land bearing (a) Rectangle No.27, Khasra No.23 (4-16) and Rectangle No.37, Khasra No.2 (4-16), 3 (4-16) admeasuring 14 Bighas and 8 Biswas (approx. 3 acres), (b) Rectangle No.37, Khasra No.8 (4-12) admeasuring 4 Bighas and 12 Biswas (approx.



0.95833 acre) situated in the revenue estate of Village Paprawat, New Delhi. Petitioner No.3, namely, late Amarnath was the absolute owner and in physical possession of the agricultural land bearing (a) Rectangle No. 37, Khasra No.9/1 (1-12) admeasuring 1 Bigha and 12 Biswas (approx. 0.333 acres), which is situated in the revenue estate of Village Paprawat, New Delhi.

3. An Agreement to Sell dated 19.08.2012 was executed by and between Petitioners No.1 and 2 for purchase of agricultural land by Respondent No.4/Company. Another Agreement to Sell dated 21.08.2012 was executed between Petitioner No.3 and Respondent No.4/Company and thereafter, three Collaboration Agreements were executed on 27.12.2012 between the said parties and duly registered. On account of disputes between the parties, present writ petition is filed by the Petitioners seeking directions to Respondent No.2/Sub-Registrar, Kapashera to cancel the Special Power of Attorney and restraining Respondents No.3 to 5 from creating third party rights in the properties in question. It is stated in the application that during the pendency of the writ petition, with the intervention of family members and friends, parties have amicably settled all their disputes and a Deed of Settlement has been executed on 28.06.2024, incorporating the terms of settlement, copy of which has been placed on record.

4. Petitioners No.1 and 2 are present in Court. Respondents No.4 and 5 are represented by Sh. Ram Niwas, the Authorized Representative as per the Board Resolution dated 02.04.2024, photocopy of which is placed as Document No.3 along with the present application. Court has perused the terms of settlement and finds the same to be lawful.



5. Application is allowed and disposed of recording the settlement between the parties and permitting the Petitioners to withdraw the writ petition in terms of the settlement.

W.P.(C) 1065/2019 and CM APPL. 4854/2019 (Stay)

6. In view of the order passed in CM APPL. 40030/2024, the present writ petition stands disposed of as withdrawn in terms of the settlement between the parties. Needless to state, the Settlement Deed dated 28.06.2024 shall form a part of the order and the parties shall remain bound by the terms of the settlement. Pending application also stand disposed of.

JYOTI SINGH, J

JULY 19, 2024/kks