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

+ **CS(OS) 127/2021**

**NIDHI MAHAJAN**

.....Plaintiff

Through: Ms.Jaya Bajpai, Ms.Maryam Beg and  
Mr.Gurvinder Pal Singh, Advocates

versus

**PUNEET ANAND**

.....Defendant

Through: Mr.Vinit Trehan, Advocate for D-1,2  
and 3

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

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**07.10.2024**

**I.A. No. 41473/2024 (U/O 23 Rule 3 CPC filed by Plaintiff)**

1. The present application has been filed by the plaintiff seeking to bring on record the settlement dated 09.09.2024 arrived at between the parties in the Delhi High Court Mediation & Conciliation Centre and to dispose of the present suit in terms of the said settlement.
2. Learned counsel appearing on behalf of the plaintiff submits that during the pendency of the present suit *vide* order dated 08.08.2024 parties were referred to the Mediation where the parties have arrived at a settlement, terms whereof have been reduced in writing in the form of settlement agreement dated 09.09.2024, which has been annexed as Document A to the present application.
3. It is submitted that in terms of the said settlement it has been agreed between the parties that defendant Nos.1 and 2 will pay a sum of



Rs.27,37,500/- to the plaintiff, which amount stands paid, and the receipt of the same is also acknowledged by the learned counsel appearing on behalf of the plaintiff. It is also recorded in the settlement that the plaintiff has agreed to waive all disputes with regard to the Will dated 04.09.2017 executed by the late mother of the plaintiff as well as defendant No.1. The settlement agreement dated 09.09.2024 has been signed by the plaintiff and the defendant Nos.1 and 2, as well as, by their respective counsels.

4. The plaintiff has joined the proceedings through video conferencing and the defendant Nos. 1 and 2 are present in person. In reply to a specific Court query, the plaintiff as well as the defendant Nos. 1 and 2 affirm having entered into the settlement dated 09.09.2024. The said settlement is thus, taken on record.

5. A perusal of the said settlement shows that the same is lawful, therefore, there is no impediment in decreeing the suit in terms of the said settlement. The parties will remain bound by the said settlement.

6. Accordingly, the suit is decreed in terms of the settlement dated 09.09.2024 which shall form part of the decree.

7. At this stage, learned counsel appearing on behalf of the plaintiff also prays for refund of Court Fee. Having regard to the fact that the parties have arrived at a settlement before the Mediation which is one of the mode of Alternative Dispute Resolution prescribed under Section 89 of the Code of Civil Procedure, this Court is of the opinion that the plaintiff is entitled to refund of full Court Fee in terms of Section 16 of the Court Fees Act.

8. The Registry is directed to issue a certificate for the refund of full Court Fee.

9. The application stands disposed of.



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10. In view of the order of even date in IA No. 41473/2024, the present suit, along with pending applications, if any, is disposed of in above terms.

11. The dated 19.11.2024, i.e. the date already fixed, stands cancelled.

**VIKAS MAHAJAN, J**

**OCTOBER 7, 2024**  
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