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

+ **CS(OS) 232/2023**

SIDDHARTH

.....Plaintiff

Through: Mr. Anant Nigam, Advocate.

versus

MALVINDER SINGH & ORS.

.....Defendants

Through: Mr. Harsh Sethi and Mr. Raghav Luthra, Advocates for D-1, D-2A, 2B, D-3A and 3B.

Mr. Sukhpreet Singh, Adv. for D-4

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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16.10.2024

I.A. 41306/2024 (Application under Order XXIII Rule 3 CPC)

1. This is a joint application filed under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908.
2. The defendant nos.1, 3A and 3B are personally present before the Court. Mr. Joban Meet Singh, designated partner of defendant no.4 is also personally present before the Court. Plaintiff, defendant nos. 2A and 2B have joined the proceedings through video conferencing.
3. The parties confirm that they have executed Settlement Agreement dated 22.09.2024 ('Settlement Agreement') and have jointly agreed to redevelop the suit property in terms of the said Settlement Agreement.
4. Defendant no. 4 is the entity which is responsible for the redevelopment of the said property. Mr. Joban Meet Singh on behalf of defendant no. 4 undertakes to this Court that the suit property will be redeveloped in accordance with the terms and conditions of the settlement agreement dated 22.09.2024 and it will be completed within a time bound



period of 18 months from the date of sanction of building plans by the municipal authority.

5. Learned counsels for the plaintiff, defendant Nos. 1, 2A, 2B, 3A and 3B jointly state that they will hand over peaceful and vacant possession of the suit property to defendant no.4 in a time bound manner so as to facilitate time bound completion of the redevelopment as agreed in settlement agreement dated 22.09.2024.

6. This Court has perused the terms and conditions of the settlement agreement dated 22.09.2024 and is satisfied that the Settlement Agreement is lawful. In addition, keeping in view of the fact that all the parties have consented to the said terms out of their own free will, there is no impediment in decreeing the present suit in terms of the said Settlement Agreement.

7. The application is accordingly allowed and the suit is hereby decreed in the terms and conditions of the Settlement Agreement dated 22.09.2024. The parties are bound down to the obligations assumed under this agreement.

8. The registry is directed to draw up a decree and the terms of the Settlement Agreement dated 22.09.2024 shall form part of the said decree.

9. All pending application stands disposed of. Interim orders, if any, stands vacated.

10. All future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 16, 2024/VLD/AKT

[Click here to check corrigendum, if any](#)