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

+ **RFA(OS) 18/2019**

SHASHANK TIWARI & ANR

.....Appellants

Through: Mr Anil Mittal, Mr Shaurya Mittal
and Mr Atul Chauhan, Advocates
Shashank Tiwari, appellant no. 1 in
person through video conferencing
Rajender Tiwari, appellant no. 2.

versus

RANI SHARMA & ANR

.....Respondents

Through: Mr S. S. Pandey, Mr Nishant Pandey,
Ms Somya Pandey and Mr Roshan
Kumar, Advocates
Mrs Rani Sharma, respondent no. 1 in
person.
Mrs Veena Sharma, respondent no. 2
in person.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

29.08.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

1. Mr Anil Mittal, learned counsel who appears on behalf of the appellants, says parties have arrived at a settlement under the aegis of Delhi High Court Mediation and Conciliation Centre.
2. In this behalf, our attention has been drawn to the Settlement Agreement dated 23.08.2024 [hereinafter referred to as "SA"].
3. Mr Mittal says, on instructions from appellant no. 1, who has joined through video conferencing, that he wishes to withdraw the instant appeal.
4. Appellant no. 2 is physically present in Court.



5. Insofar as the respondents are concerned, they are also physically present in Court.
6. Furthermore, counsel for respondent no. 1 not only affirms the position as reflected in SA but also says that as per the terms contained therein, he would have to withdraw the concerned suit i.e., CS(OS) 1253/2012.
7. Parties have been identified by their respective counsel.
8. We have perused the SA. According to us, the terms contained therein are lawful.
9. Accordingly, the appellants are permitted to withdraw the appeal.
10. Respondent no.1 says in view of the terms of the SA the aforementioned suit, i.e., CS(OS) 1253/2012 can be dismissed as withdrawn.
11. In this regard, our attention has been drawn to the order dated 18.10.2022 passed in CS(OS) 1253/2012. A perusal of the said order shows that the suit was adjourned *sine die*.
12. In view of the stand taken by respondent no.1 and as reflected in the SA, the suit is dismissed as withdrawn.
13. Parties shall remain bound by the terms of the SA.
14. The Registry will ensure that the order passed today is also embedded in the suit file.

RAJIV SHAKDHER, J

AMIT BANSAL, J

AUGUST 29, 2024/ds

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