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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 328/2021**
KIRAN GOYAL Plaintiff

Through: Ms. Payal Mittal, Adv.

versus

PRITI GOYAL & ORS. Defendants

Through: Mr. Sunil Dutt Dixit, Adv. for D-1
(VC).
Mr. Ankit Gupta, Adv. for D-3 (VC).

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

% **ORDER**
28.05.2024

I.A. 30715/2024 in CS(OS) 328/2021

1. The present application has been filed on behalf of plaintiff, defendant No.1 and defendant No.3 in the present suit under Order XXIII Rule 3 read with Section 151 CPC to bring on record the settlement agreement dated 30.12.2023.
2. Learned counsels for the parties submits that the present suit was filed on the premises that the plaintiff and defendant No.1 were the owner of the 25% share of the undivided share of the suit property while the defendant No.2 is the owner of the 50% undivided share of the suit property.
3. Defendant No.3 was merely impleaded as he was in possession of the suit property.



4. It has been submitted that defendant No.2 did not come forward to contest the case. It has further been submitted that plaintiff and defendant No.1 have not claimed any stay over the 50% share of defendant No.2.
5. The settlement agreement dated 30.12.2023 has been executed by plaintiff, defendant No.1 and defendant No.3.
6. The settlement agreement be taken on record.
7. The parties are held bound by the terms and conditions of the settlement agreement executed between the parties.
8. In view of the above, the suit is disposed of in terms of the settlement agreement.
9. Decree sheet be drawn accordingly.
10. Since the matter has been settled amicably, let the court fee be returned in accordance with law.
11. Next date fixed i.e., 19.07.2024 stands cancelled.

DINESH KUMAR SHARMA, J

MAY 28, 2024/AR..