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

+ **FAO(OS) 21/2024**

SMT. NIRMAL JAIN & ORS.Appellants
Through: **Ms.Shambhavi Kala, Advocate.**

versus

KOHLI ONE HOUSING AND DEVELOPMENT PVT. LTD. & ORS.Respondents
Through: **Mr.Rohit Gandhi with Ms.Aksita Nigam, Advocates for R-5 to 12.**

+ **FAO(OS) 55/2024**

NIRMAL JAIN AND ORSAppellants
Through: **Ms.Shambhavi Kala, Advocate.**

versus

KOHLI ONE HOUSING AND DEVELOPMENT PVT LTD AND ORSRespondents
Through: **Mr.Rohit Gandhi with Ms.Aksita Nigam, Advocates for R-5 to 12.**

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER
23.07.2024

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C.M.No.41147/2024 in FAO(OS) 21/2024
C.M.No.41145/2024 in FAO(OS) 55/2024

1. Present applications have been filed under Order XXIII Rule 3 read with Section 151 of the CPC, 1908 on behalf of the appellants seeking permission to unconditionally withdraw the present appeals.



2. Learned counsel for the applicants/appellants states that the appellants, the respondent no. 1 and respondent nos. 5 to 26 have entered into a Settlement Agreement dated 01st July, 2024 pursuant to which respondent no.1 has received a total sum of Rs. 42,24,00,000/- (Rupees Forty-Two Crores Twenty-Four Lacs only) from respondent nos.5 to 8 and respondent no.10 as full and final settlement of all its claims against the appellants, respondent no.1 and respondent nos. 5 to 26.
3. She further states that vide order dated 03rd July, 2024 passed in C.S.(OS) No.76/2010, the abovementioned Settlement Agreement has been taken on record, and the underlying suit qua the appellants and respondent nos.5 to 26 was withdrawn as agreed by the parties to the Settlement Agreement.
4. Present applications have been moved in light of Clause 13 of the Settlement Agreement, whereby the parties have agreed to withdraw FAO(OS) 21/2024 and FAO(OS) 55/2024.
5. Accordingly, the present applications are allowed and the present appeals are disposed of as infructuous. The next date of hearing stands cancelled.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 23, 2024
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