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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(OS) 430/2023**

**DR. AMARJEET DABAS & ANR.** .....Plaintiffs  
Through: **Mr. S. C. Singhal, Advocate**

versus

**MS. MINAXI RAJIV SOBTI** .....Defendant  
Through: **Mr. Dattatray Vyas and Ms. Sanidhya Sonthalia, Advocates**

**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

% **04.07.2024**

**I.A. 32139/2024 (under Order XXIII Rule 3)**

1. By way of present joint application filed under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure ('CPC'), the Plaintiff and the Defendant seeks disposal of the suit in terms of the settlement arrived between them, as set out in the settlement agreement dated 27.06.2024 ('settlement agreement'). A copy of the settlement agreement has also been placed on record.
2. Learned counsel for the parties' state that the terms of the settlement have been set out at clauses 1 to 20 of the said agreement and they pray for a decree in terms thereof. In addition, the Plaintiffs also seek refund of the full Court fee, in view of the suit being disposed of in terms of the settlement prior to the framing of the issues.
3. The application is supported by the affidavits of all parties. Furthermore, the Plaintiff No. 1 is present in Court, whereas Plaintiff No. 2 has joined the proceedings *via* Video Conferencing, so also the defendant



has joined the proceedings *via* Video Conferencing. Parties have been identified by their respective counsels. Parties have confirmed the terms of the settlement agreement and agreed to remain bound them.

4. The learned counsels for the parties have stated that clause 14 of the settlement agreement has become otiose after filing the present application. The said statement is taken on record.

5. Having regard to the aforesaid, there does not appear to be any impediment in grant of decree in terms of the settlement agreement and this Court is satisfied that the parties have arrived at lawful settlement on the terms detailed in the settlement agreement.

6. In view of the statements of the parties and their counsels recorded above, the terms of settlement are accepted and taken on record and shall deemed to form part of this order.

7. The parties are directed to abide by such terms.

8. As the parties have settled their disputes amicably, the Registry is directed to return the court fees to the plaintiffs, having regard to Sections 16 and 16A of the Court Fees Act, 1870, and the judgment of the Supreme Court in High Court of Judicature at *Madras v. M.C. Subramaniam & Ors* [(2021) 3 SCC 560]

9. The Registry is directed to draw up the requisite certificate for refund of the entire Court fee, within four (4) weeks from today.

10. The application is disposed of in the aforesaid terms.

**CS(OS) 430/2023**

11. The suit is accordingly decreed in terms of the settlement agreement, which terms shall form part of the decree. The decree shall be drawn up accordingly.



12. All pending applications shall stand disposed of.
13. All further dates of hearing in the suit are hereby cancelled.

**MANMEET PRITAM SINGH ARORA, J**

**JULY 4, 2024/rhc/ms**