



\$~13

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

+ **CS(OS) 481/2022 & I.A. 12862/2022 I.A. 17818/2022 I.A. 19315-19316/2022 I.A. 45783/2024**

MEGHA NAGPAL AND ANR.

.....Plaintiffs

Through: Mr. Dayan Krishnan, Sr. Advocate
with Mr. Sanjeevi Seshadri, Mr.
Pranav Jain, Mr. Sukrit Seth, Advs.
with plaintiff no. 1 (in Court) and
plaintiff no. 2(Through VC) in person

versus

HARBANS NAGPAL AND OTHERS

.....Defendants

Through: Mr. Kartikay Mathur, Adv. alongwith
all defendants in person

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

%

21.11.2024

I.A. 45783/2024(Joint Application u/o XXIII Rule r/w Section 89 and 151 of CPC on behalf of the plaintiffs and defendant)

1. This is a Joint Application filed by the parties under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (CPC), seeking decree of suit in terms of settlement agreement dated 19.10.2024 ('settlement agreement') executed between the parties before the Delhi High Court Mediation and Conciliation Centre. The application has been signed by all the parties and is supported by their respective affidavits.

2. Plaintiff no. 1, defendant no. 1, defendant no. 2 and defendant no. 3 are present in person. Plaintiff no. 2 has joined the proceedings through



video conferencing.

3. This Court has interacted with the parties and the parties confirm that they have executed settlement agreement dated 19.10.2024 and are satisfied with the terms and conditions recorded therein. The parties also state that they undertake to abide by the statements made in the settlement agreement and the obligation assumed qua each other.

4. Learned senior counsel for the plaintiffs has taken this Court through the terms and conditions agreed between the parties and more specifically set out in paragraph '2' of the application. He states that in view of the settlement arrived between the parties and considering that the suit is at the initial stage the plaintiffs in addition pray for refund of 100% Court fees in terms of Section 16 of the Court Fees Act, 1870 read with Section 89 of CPC.

5. Learned counsel for the defendants as well confirms the submissions of learned senior counsel for the plaintiffs and joins the request for the refund.

6. This Court has perused the settlement agreement dated 19.10.2024 and is satisfied that the same is lawful and therefore, there is no impediment in allowing this application.

7. Accordingly, the application is allowed. The settlement agreement dated 19.10.2024 is taken on record and the suit is decreed in terms of the said settlement agreement. The parties are bound down to the statements and obligations made in the said agreement as well as the timelines undertaken therein.

8. The Registry is directed to draw up a decree sheet. The settlement agreement shall form part of the decree.



9. This Court has considered the submissions of plaintiffs and in terms of Section 16 of the Court Fees Act, 1870; the prayer for refund of 100% Court fees is hereby allowed. The registry is directed to refund the Court fees in the name of plaintiff no. 1 within four (4) weeks.
10. Pending application stand disposed of.
11. Interim order, if any, stand vacated.
12. All future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 21, 2024/hp/sk

Click here to check corrigendum, if any