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

+ C.R.P. 181/2024 & CM APPL. 34446/2024

ANURADHA CHOWDHRY

.....Petitioner

Through: Mr. Ashish Mohan, Mr. Hem Kumar,
Mr. Samarth Chowdhary & Mr.
Aveak Ganguly, Advocates.

versus

RUNWELL INDIA PVT LTD & ORS.

.....Respondents

Through: Mr. Shalabh Gupta & Ms. Himani
Aggarwal, Advocates for R-1.
Mr. Shivam Tyagi, Advocate for R-2.
Mr. Raghvendra Upadhyay, Panel
Counsel, GNCTD, Mr. Vaibhav
Tripathi, Ms. Chandra Kishore Yadav
& Ms. Pratibha Jain, Advocates for
R-3/Sub-Registrar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

07.10.2024

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1. The present Petition under Section 115 of the Code of Civil Procedure, 1908 (*hereinafter referred to as "CPC, 1908"*) has been filed on behalf of the revisionist-Anuradha Chowdhary (defendant No. 2 in the original Suit bearing CS No. 620/2020) challenging the Compromise Decree/Order dated 16.4.2024.

2. It is submitted that the compromise was entered into between the respondent No.1/plaintiff-Runwell (India) Pvt. Ltd. and the respondent No. 2/defendant No. 1-Sonia, whereby it was agreed that the GPA dated 03.04.2016 executed by the revisionist-Anuradha Chowdhary in



favour of the respondent No.2-Sonia, stands cancelled.

3. The basic grievance of the revisionist-Anuradha Chowdhary is that when the revisionist/defendant Nos. 2 and 3 had been deleted from the array of parties before accepting the compromise between the parties as stated in the Application under Order XXIII Rule 3 read with Section 151 of CPC, 1908, the GPA of which the revisionist was an author, it could not have been directed to be cancelled in her absence.

4. Learned counsels on behalf of the respondents have explained that the true import of the Settlement was that the respondent No. 2-Sonia shall not be claiming any right, title and interest under the impugned GPA and it is in that context, it was observed that the cancellation of the GPA and the other documents may be sought from the Office of Sub-Registrar, respondent No. 3 herein.

5. Learned counsel for the revisionist-Anuradha Chowdhary submits that if it is clarified that the compromise between the respondent Nos. 1 and 2 does not bind the revisionist-petitioner in any manner and that there are no directions be given for cancellation of the impugned GPA to the Sub-Registrar, respondent No. 3 herein, the present petition may be disposed of in the aforesaid terms.

6. Learned counsel appearing on behalf of the respondent Nos. 1 and 2 have no objection to the aforesaid clarifications. Learned counsel for the respondent No. 2 also submits that the respondent No. 2 does not intend to initiate any further litigation on the ground of fraud or otherwise against the revisionist-petitioner.

7. In view of the submission made, it is hereby clarified that the Compromise Decree is vis-a-vis, the respondent Nos. 1 and 2 and the same



does not determine the right, title and interest of the revisionist-petitioner in the subject property.

8. In respect of the GPA, it is informed that the GPA already stands cancelled.

9. With the aforesaid directions, without prejudice to the rights and title of the revisionist-petitioner, the present Revision Petition is hereby disposed of along with pending application.

NEENA BANSAL KRISHNA, J

OCTOBER 7, 2024

S.Sharma