



\$~58

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

+ RFA 813/2019, CM APPL. 40426/2019, CM APPL. 40427/2019, CM APPL. 8538/2023, CM APPL. 17216/2023, CM APPL. 7689/2024, CM APPL. 19822/2024, CM APPL. 19823/2024

RADHEY SHYAM & ANR

..... Appellants

Through: Mr. Bhagat Singh, Adv. for appellants
alongwith appellant Nos.1(d) and 1(e)
in person.

versus

KAUSHALYA DEVI & ORS

..... Respondents

Through: Mr. Praveen Suri, Adv. alongwith Mr.
Sagar Nandwani, Adv. for R-1 to
R-3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

23.04.2024

%

RFA 813/2019 & CM APPL. 7689/2024 (on behalf of the appellants and respondents under Order 23 r/w Section 151 CPC, 1908, withdrawal of present appeal in terms of oral family settlement dated 27.11.2023)

1. An amended memo of parties has been filed pursuant to the directions contained in the order dated 03.04.2024. *Vide* the said order, the instant appeal was dismissed as withdrawn *qua* Anil Kumal Mittal (the original appellant no.2).

2. Respective counsel for the parties submit that pursuant to the order dated 03.04.2024, a memorandum of understanding dated 15.04.2024 has been arrived at between Mr. Pradeep Mittal and Mrs. Madhu Mittal on the one hand and Mrs. Neeta Garg and Mrs. Seema Gupta on the other hand. All four signatories to the said memorandum of understanding are present in Court.



3. Respective counsel for the parties submit that with the execution of the aforesaid memorandum of understanding dated 15.04.2024, all outstanding disputes which are subject matter of the present appeal stand resolved in terms thereof.
4. In the circumstances, learned counsel for the appellant nos.1(d) and 1(e) (the only surviving/contesting appellants) seeks leave to withdraw the present appeal unconditionally.
5. Accordingly, the instant appeal along with all pending application/s, is dismissed as withdrawn.
6. The aforesaid parties to the memorandum of understanding dated 15.04.2024 undertake that they shall remain bound with the terms of the said memorandum of understanding. The said undertaking is taken on record.
7. Learned counsel for Mrs. Madhu Mittal submits that certain original title documents in respect of the property in question *i.e.*, property bearing no.4/4, East Punjabi Bagh, New Delhi-110026, are lying deposited in the Trial Court.
8. Respective counsel for the parties are in agreement that all the original documents *qua* the property in question be released to Mrs. Madhu Mittal by the concerned Trial Court. It is directed accordingly.
9. All interim order/s stand vacated.

SACHIN DATTA, J

APRIL 23, 2024/r