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

+ **CS(OS) 3/2022**

DINESH KUMAR SHOKEEN

..... Plaintiff

Through: **Dr. Suman Chaudhary, Advocate**

versus

SAROJ & ORS.

..... Defendants

Through: **Mr. Prashant Singh, Advocate.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

20.05.2024

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I.A.29874/2024 (under Order XXIII Rule 3 CPC on behalf of plaintiff)

1. The present application has been filed on behalf of the plaintiff wherein it is submitted that the matter has been amicably settled between plaintiff and defendant No.1 with the intervention of close friends and relatives and the MOU Ex.P1 is annexed with the application. It is submitted that in view of the settlement, the plaintiff may be allowed to withdraw the Suit.
2. The MOU dated 04.05.2024 has been brought on record.
3. Learned counsel appearing on behalf of the Defendant No. 1 has no objection to the withdrawal.
4. Learned counsel appearing on behalf of the Defendant No. 2 submits that she is not a party to the said Settlement but the plaintiff and Defendant No. 1 have specifically agreed that they shall not challenge the Sale Deed executed by the Defendant No. 1 in favor of the Defendant No. 2 and shall



not create any kind of disturbance in her peaceful possession of the property.

5. Considering that the parties through the learned counsels have confirmed that the Settlement has been arrived at voluntarily and without coercion and the parties shall remain bound by the terms of the Settlement and that Defendant No. 2 is having no objection to the withdrawal, and in terms of the MOU, the Suit is permitted to be withdrawn.

6. The Court Fee be refunded to the plaintiff in accordance with law.

7. The application is accordingly disposed of.

8. The date already fixed stands cancelled.

NEENA BANSAL KRISHNA, J

MAY 20, 2024

VA/PT