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

+ **CS(OS) 745/2023**

SHRI RUPEN GOSWAMI & ANR.Plaintiffs

Through: Mr. Ritesh K. Chowdhary, Advocate

versus

SHRI RAJEEV DHINGRA & ANR.

.....Defendants

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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08.10.2024

1. The matter has been put up on office note. The office note states that there has been a typographical error at paragraph '8'. The error is borne out from the record. Accordingly, the said paragraph set out in the order dated 03.10.2024 passed by this Court is hereby corrected and the order shall now reads as under: -

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

+ **CS(OS) 745/2023 & I.A. 22850/2023, I.A. 9810/2024**

SHRI RUPEN GOSWAMI & ANR.Plaintiffs

Through: Mr. Somiran Sharma and Mr.
Ritesh Kumar Chowdhary,
Advs. alongwith plaintiffs (P-
1 and P-2) in person

versus

SHRI RAJEEV DHINGRA & ANR.

.....Defendants

Through: Mr. Dilip Kumar, Adv.

CS(OS) 745/2023

Page 1 of 3



alongwith D-1 and D-2

CORAM:

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

ORDER

03.10.2024

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CS(OS) 745/2023

1. The Delhi High Court Mediation and Conciliation Centre ['SAMADHAN'] has placed before this Court the original settlement agreement dated 01.10.2024 ('settlement agreement') executed between the parties.

2. The parties to the settlement agreement i.e. plaintiff no. 1, plaintiff no. 2 and defendant no. 1 are present in Court.

3. Learned counsel for the defendants' states that defendant no. 1 has signed the settlement agreement on behalf of himself and defendant no. 2. He states that authority letter executed by the defendant no. 2 in favour of defendant no. 1 is enclosed as Annexure-1 to the settlement agreement.

4. Learned counsel for the parties pray that the suit be decreed in terms of the settlement agreement.

5. The parties who are present in Court have confirmed the due execution of the said settlement agreement and undertake to perform the obligations assumed under the said agreement in a time bound manner. The parties confirm that they have arrived at the settlement out of their free will and are satisfied with the terms recorded therein.

6. This Court has perused the terms of the settlement is satisfied that the parties have arrived at a lawful settlement.

7. The parties are bound down to the obligations assumed under the agreement and is directed that they will not act in any manner, which derogates from the obligations and undertaking recorded herein.

8. The interim order dated 17.11.2023 has been engrafted by way of clauses 34 and 35 of the settlement agreement and a decree for permanent injunction in terms of clause 34 and **35** is hereby granted in favour of plaintiffs and against the defendants.

9. In view of the fact that the parties have arrived at said settlement out of their own free will, accordingly, this Court deems it appropriate to take the terms of the settlement agreement on record and decree the suit in terms thereof.

10. Learned counsel for the plaintiffs' states that in view of the settlement arrived between the parties, the plaintiffs herein also pray for refund of Court fees. He further states on instructions that in an unlikely event the plaintiffs are compelled to seek execution of decree passed today in terms of the settlement agreement, the



plaintiff will re-deposit the entire Court fees.

11. The statement of the learned counsel for the plaintiffs is taken on record.

12. In view of the fact that the parties herein have settled their disputes amicably before the Delhi High Court Mediation and Conciliation Centre, accordingly, the registry is directed to refund the 100% Court fees to the plaintiffs in the name of plaintiff no. 1 in accordance with law, having regard to Sections 16 of the Court Fees Act, 1870. The Registry is directed to draw up the requisite certificate for refund of the entire Court fee in the name of the plaintiffs, within four (4) weeks from today

13. 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.

14. All pending applications shall stand disposed of.

15. All further dates of hearing in the suit are hereby cancelled.”

2. The correction has been highlighted in bold.

3. With the aforesaid directions, the office note stands disposed of.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 8, 2024*/rhc/ms*