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

+ **CS(OS) 182/2021**

DR. PREETAM SINGH

.....Plaintiff

Through: Mr.Madan Lal Sharma and
Ms.Tejaswini Verma, Advocates.

versus

DR. RAJBIR SINGH

.....Defendant

Through: Mr.Akshit Mago, Advocate.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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17.01.2025

I.A. 1202/2025 in CS(OS) 182/2021

1. Heard learned counsel appearing on behalf of the parties.
2. The instant application under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure has been jointly filed by the parties seeking disposal of the instant suit based on the compromise arrived at between the parties.
3. Learned counsel appearing on behalf of the parties jointly submit that the parties have amicably settled their disputes and in terms of the said settlement, it has been agreed that the plaintiff shall release his entire share in the suit property in favor of the defendant and furthermore, the plaintiff, in terms of the settlement, has executed a duly registered release deed dated 31.12.2024 in favor of the defendant. The said release deed dated 31.12.2024 has been placed on record.



4. Order XXIII, Rule 3 authorizes the Court to pass a decree on a compromise wherein the parties to the dispute have made an arrangement to settle the dispute. It has been comprehensively stated in the provision that the settlement arrived at should meet the essentials laid down therein, namely, (i) the compromise is lawful (ii) it is reduced in writing (iii) it is duly signed by the parties arriving at the compromise.
5. The settlement has been agreed upon without fear or coercion and the parties appear to have entered into the settlement agreement on their own volition.
6. All the parties are present in the Court, and their identity is verified by learned counsels who appear on their behalf.
7. The Court is satisfied that the settlement has been arrived at between the parties following due procedure and meeting the essentials specified under Order XXIII, Rule 3. Therefore, the parties shall be bound by the aforesaid settlement agreement.
8. In view of the aforesaid, the civil suit stands decreed in terms of the settlement agreement.
9. Let the original documents filed by any of the parties, if any, be released by the Registry upon retaining a photocopy thereof.
10. The Registry is directed to draw up a decree sheet.
11. The civil suit, along with the pending applications, stands disposed of.
12. The date already fixed in the matter, i.e., 07.04.2025 stands canceled.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 17, 2025

Nc/sp