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

+ **CS(OS) 352/2024**

SMT. AARTI VOHRA NAGPAL & ORS.Plaintiff

Through: **Mrs. Vithika Garg and Mr. Vijay Kumar, Adv.**

versus

**RAKESH NISCHAL @ RAKESH
CHARANDAS NISCHALDefendant**

Through: **LRs of the deceased defendant in person.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 14.05.2025

I.A. 12197/2025 (U/O 23 R 3- FOR REORDING COMPROMISE OF SUIT VIDE AGREEMENT DATED 09.04.2025)

1. The parties by way of instant application has placed the memorandum of understanding (MoU) dated 09.04.2025 on record.
2. The parties therefore, contend that in terms of the MoU, instant suit be decreed.
3. In view of the aforesaid and for the reasons stated in therein, the instant application is allowed and the same is disposed of.

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4. The Court has perused the terms of the MoU dated 09.04.2025, which stood in accordance with the Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (CPC).

This is a digitally signed order.

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5. Order XXIII, Rule 3 authorises 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.
6. 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.
7. The Court is satisfied that the settlement has been arrived at between the parties following due procedure and meeting the essentials specified 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. Let the MoU be also form part of the decree.
9. The Registry is directed to draw-up a decree sheet.
10. The civil suit along with the pending applications stands disposed of.
11. The date 09.07.2025 already fixed before the Joint Registrar stands cancelled.

PURUSHAINDR KUMAR KAURAV, J

MAY 14, 2025

aks/sph

[Click here to check corrigendum, if any](#)