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

+ **CS(COMM) 591/2025, I.A. 14388/2025 & I.A. 25234/2025**
MOKOBARA LIFESTYLE PRIVATE LIMITEDPlaintiff

Through: Mr. Aadhar Nautiyal, Adv.
versus

MR. FAZAL MOHAMED YAKUB PATKA AND ORS

.....Defendants

Through: Ms. Vani Kaushik, Advocates for D-1
to 4

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **10.10.2025**

CS(COMM) 591/2025 and I.A. 25234/2025(Under Order XXIII Rule 3 CPC)

1. The present application has been filed by the plaintiff and defendants under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 ['CPC'] for recording the settlement arrived between the parties and seeking passing of a decree based on the said settlement.
2. Learned counsels for the parties' jointly state that the terms of the settlement are set out in paragraphs 3(i) to 3(vii) of the captioned application. It is stated that the parties will abide by the obligations and undertakings recorded in the said settlement terms and conditions.
3. Parties therefore jointly pray for a decree in terms of Order XXIII Rule 3 CPC.
4. This Court has perused the compromise entered between the parties and is satisfied that the said compromise satisfies the requirements of Order XXIII Rule 3 CPC. The compromise contained in the captioned application



is lawful and therefore, there is no impediment in decreeing the suit in terms of the settlement arrived at between the parties. The application is signed by the parties and/or their authorized representatives as well as their counsel.

5. The statements and undertakings given by the parties are accepted by this Court and the party are held bound by the same.

6. Consequently, the application is allowed, and the captioned suit is decreed in terms of the paragraphs 3(i) to 3(vii) of this application.

7. The prayers at paragraph 38(iv), (v), (vi) of the plaint are dismissed as not pressed.

8. The Registry of this Court is directed to draw a decree sheet in terms of this order. The terms of settlement set out in the application shall form part of the decree.

9. Pending application, if any, stands disposed of.

10. Interim orders, if any, stand merged into the final decree.

Refund of Court fee

11. Learned counsel for the plaintiff states that in view of the compromise recorded between the parties and the early disposal of the suit, the plaintiff prays for refund of the court fee deposited.

12. Keeping in view the aforesaid facts, the registry is directed to refund 50% Court Fee in favour of plaintiff within six (6) weeks, in accordance with law. The said direction has been passed having regard to Section 16 and 16A of the Court Fees Act, 2870 (as applicable to Delhi).

13. Future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 10, 2025/msh/AM