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

+ **CS(OS) 571/2023, I.A. 17937/2023, I.A. 17938/2023**

SHRI JITENDER GUPTAPlaintiff

Through: **Mr. Imran Khan, Advocate.**

versus

SH ASHUTOSH GUPTA & ORS.Defendants

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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29.07.2025

I.A. 15812/2025 (u/O-XXIII R-3 CPC)

1. The present application has been filed under Order XXIII Rule 3 of the Code of Civil Procedure, 19085 ('CPC') seeking decreeing of the suit on the basis of Compromise/Settlement Agreement dated 30th May, 2025 (hereinafter, 'Settlement Agreement') arrived at between the parties before Delhi High Court Mediation and Conciliation Centre.
2. The Settlement Agreement pertains to the estate of late Sh. Gauri Shankar Gupta. The parties to the suit are two (2) sons, two (2) daughters and widow of late Sh. Gauri Shankar Gupta.
3. The present application is supported by the affidavits of all the parties.
4. The Settlement Agreement placed on record shows that the immovable properties have been allotted to the two (2) sons only.
5. *Vide* order dated 9th July, 2025, the Predecessor Bench had listed this matter before the Joint Registrar for recording statement of all the parties on



oath *vis-a-vis* the settlement.

6. On 14th July, 2025, the statement of all the parties to the Settlement Agreement were recorded before the Joint Registrar. In their statements, all the parties have affirmed the Settlement Agreement.

7. The Settlement Agreement which bears the signatures of the authorised representatives of the plaintiff and the defendants, has been placed on record.

8. I have perused the terms of the Settlement Agreement and do not find anything unlawful therein.

9. Parties shall remain bound by the terms of the Settlement Agreement.

10. In view of the above, a decree is passed in the suit in terms of the Settlement Agreement. The Settlement Agreement shall form part of the decree sheet.

11. Decree sheet be drawn up accordingly.

12. Since the matter has been settled between the parties, the Registry is directed to issue a certificate of refund of the entire Court Fees in favour of the plaintiff, in terms of Section 16 of the Court Fees Act, 1870 read with Section 89 of the Code of Civil Procedure, 1908.

13. The suit along with all pending application(s) stand disposed of.

AMIT BANSAL, J

JULY 29, 2025

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