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

+ RFA 114/2012

RAJ SINGH MATHUR

.....Appellant

Through: Appellant in-person, Mob-
9312956878, E-mail-
rajmathur7329@gmail.com

versus

SANJEEV MATHUR DECD THR LRS

.....Respondent

Through: R-2 in-person, Mob. 8929652995, E-
mail- khushimathur0077@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

25.04.2025

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CM APPL. 24539/2025 (For compromise of suit)

1. The present application has been filed on behalf of the appellant and the only surviving respondent, i.e. Ms. Khushi Mathur, under the provisions of Order XXIII Rule 3, read with Section 151 of the Code of Civil Procedure, 1908 ("CPC"), for compromise of the suit.
2. The appellant, Mr. Raj Singh Mathur, appears in-person and submits that a suit for partition was filed by late Sh. Sanjeev Mathur, the estranged son of the appellant from his first wife. A preliminary decree of partition was passed in favour of the respondents, herein.
3. Thus, the present appeal was filed on behalf of the appellant herein.
4. The appellant, who appears in-person, submits that during the pendency of the suit, his son i.e. Sh. Sanjeev Mathur, had died and was



survived by his wife i.e. Smt. Asha Rani and daughter Ms. Khushi Mathur. Subsequently, Smt. Asha Rani has also expired and only Ms. Khushi Mathur is there, as the last remaining legal heir of late Sh. Sanjeev Mathur.

5. It is submitted that the parties have now arrived at a settlement, as per which, the appellant has paid a sum of ₹10,00,000/- to the sole surviving respondent, i.e., Ms. Khushi Mathur.

6. Ms. Khushi Mathur is present in Court, and confirms the receipt of the said amount. She submits that the matter has been settled without any coercion and out of her own volition.

7. Accordingly, the impugned judgment dated 2nd August, 2011 passed by the Court of learned ADJ-06 (Central), Tis Hazari Courts, Delhi in case bearing *no. 280/2009* titled as *Smt. Asha Rani and Anr. vs. Sh. Raj Bir Singh and Ors.*, is hereby set aside. The suit i.e. *CS. No. 280/2009* is decreed in terms of the compromise between the parties.

8. Noting the aforesaid, the present appeal is, accordingly, disposed of.

MINI PUSHKARNA, J

APRIL 25, 2025

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