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

+ **FAO(OS) 128/2023**

SAURABH SURI & ANR.Appellants

Through: Mr. Shivankar Sharma,
Advocate.

versus

DEEPTI SURI & ANR.Respondents

Through: Mr. Ashim Shridhar,
Ms. Radhika Gupta &
Ms. Archy Gupta, Advocates
for R-1.

Ms. Purnima Maheshwari,
Standing Counsel along with
Mr. D.K. Singh, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

% **16.09.2025**

CM APPL. 58683/2025

1. The present application, under Order XXIII Rule 3, read with Section 151 of the Civil Procedure Code, 1908 [hereinafter referred to as 'CPC'], has been preferred by the Appellants seeking the following reliefs:-

“(a) Take on record the Settlement Agreement dated 11.08.2025 arrived at by the Parties before the Delhi High Court Mediation and Conciliation Centre and dispose off the appeal in terms thereof, including directing the Respondent No. 2 to transfer the pending rents (from May 2021- till date) along with GST @18% in the bank accounts of the Appellant No. 1 and No. 2.

(b) Pass such further or other order(s) or relief(s) which this Hon'ble Court may deem fit, just and proper considering the facts and circumstances of the case.”



2. Learned counsel for the contesting parties admit that the suit already stands settled between the parties in terms of the Settlement Agreement dated 11.08.2025.

3. The present Appeal has been filed against an interlocutory order dated 17.10.2023 passed by the learned Single Judge, allowing an application filed under Order XXXIX Rule 10 of CPC by the Respondent No. 1, during the pendency of the suit. Since the main suit has already been settled, the present Appeal is rendered infructuous and is accordingly disposed of as such.

4. At this stage, learned counsel for the Respondent No. 2 i.e. tenant/GAIL India Ltd. submits that certain directions had been issued by the Learned Single Judge through the interim order, requiring GAIL to pay the rent in a particular manner.

5. This Court is of the considered view that, in light of the settlement of the main suit and consequent disposal of the present Appeal, the interim order dated 17.10.2023 ceases to have effect.

6. Accordingly, the present Appeal, along with pending application(s), if any, stands disposed of in the aforesaid terms.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 16, 2025/tk/va