



\$~80

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

+ **CS(OS) 2349/2015**

RAM KISHAN SANGHI & OTHERSPlaintiffs

Through: Mr. Rishi Raj Sharma and
Mr.Subhash Chand, Advocates with Plaintiffs
No.3, 4 and 5 in person.

versus

RAJINDER KUMAR SANGHI & OTHERSDefendants

Through: Ms. Neelam Rathore, Advocate with
Defendant No.1 in person, for Defendants No.1 to
4.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
27.03.2025

%

I.A. 8013/2025

1. This is an application preferred on behalf of the Plaintiffs under Order XXIII Rule 1 read with Section 151 CPC seeking withdrawal of the suit on the ground that the suit properties stand transferred or sold with the consent of all the parties to the present suit and nothing remains for further adjudication. It is also prayed that the photocopies of the registered sale deeds dated 28.10.2024 and 29.10.2024 and the gift deed dated 28.02.2025 be taken on record.

2. The suit between the parties pertains to two properties being: (i) Bungalow No. 3, Kilokari Village, Ring Road, New Delhi (Suit property



No. 1) and (ii) Shop No. 148/3, Angoori Mandir Complex, Kilokari Village, Ring Road, New Delhi (Suit property No. 2). It is averred in the application that as regards suit property No.1, the parties have jointly sold the said property to three different individuals namely (i) Mr. Khemchand (60% undivided share), (ii) Mr. Harsh Mehendiratta (20% undivided share) and (iii) Mr. Vaarun Virmaani (20% undivided share) vide three registered sale deeds executed on 28.10.2024 and 29.10.2024 for a total sale consideration of Rs. 37.50 crores and sale proceeds have been distributed amongst the parties as recorded in the said registered sale deeds and in proportion of the shares agreed in terms of the family settlement dated 16.07.2012. As regards suit property No.2, it is averred that in accordance with the family settlement, Defendant No.4 has executed an unconditional and irrevocable registered Gift Deed dated 28.02.2025 in favour of Plaintiff No.4 and since all disputes now stand settled, Plaintiffs do not want to prosecute the suit any further.

3. Issue notice.

4. Ms. Neelam Rathore accepts notice on behalf of the Defendants and submits that matter has been amicably resolved and settled and she has no objection to the application being allowed.

5. Accordingly, the application is allowed. Plaintiffs are permitted to withdraw the suit in terms of paragraphs 5 and 6 of the application as also the fact that the suit properties have been transferred or sold with consent of all the parties to the suit.

6. Photocopies of the registered sale deeds dated 28.10.2024 and 29.10.2024 and the gift deed dated 28.02.2025 are stated to have been filed but are not on record. Let the same be brought on record within a period of



one week from today. In case the needful is done, the same will be taken on record and placed in a sealed cover and retained with the Dealing Assistant.

7. It is also recorded with consent of learned counsels that no further disputes are surviving between the parties and in future, they will have no claim of any kind against each other. The parties are also present in Court.

CS(OS) 2349/2015

8. In view of the aforesaid, the suit stands disposed of as withdrawn.

9. Date of 22.05.2025 fixed before the Joint Registrar is cancelled.

JYOTI SINGH, J

MARCH 27, 2025

B.S. Rohella