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

\# **CNR No. DLHC010049182026**

\+ CS(OS) 125/2026

M/S VDI CONSTRUCTIONS .....Plaintiff

Through: Ms. Raima Dey, Advocate alongwith Ms. Aruna Bansal, A.R./Parnter through VC.

versus

SH. KAPIL SHARMA & ANR. .....Defendants

Through: Mr. Ajit Rajput, Advocate alongwith D-1 in person.

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

O R D E R

% 28.10.2026

I.A. 29601/2026 (U/o XXIII Rule 3 read with Section 151 of CPC)

1. This is an application jointly filed on behalf of the plaintiff and defendants under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 (hereinafter referred to as '*CPC*') seeking permission to withdraw the present suit on the basis of a Settlement Deed dated 21.10.2026 entered between the parties.

2. Learned counsel for the parties state that the disputes between the parties have been amicably resolved out of the Court. The terms of the Settlement Agreement have been recorded in writing *vide* the Settlement Agreement dated 21.10.2026. The said Settlement Agreement is annexed alongwith the present application. Learned counsel for the parties submit that the compliances required in the said terms have already been completed. Learned counsel for the plaintiff seeks to withdraw the present suit.

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3. The said Settlement Agreement is taken on record alongwith all its annexures. The parties shall be bound by the terms of the settlement. This Court has perused the terms of the Settlement Agreement dated 21.10.2026, the same appears to be lawful as also within the contours of Order XXIII Rule 3 of the CPC. The parties shall be bound by the terms of the Settlement Agreement.

4. In view thereof, the suit is permitted to be withdrawn. The suit is disposed of as withdrawn on the basis of the Settlement Agreement dated 21.10.2026 alongwith all the pending applications.

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5. The dates already fixed i.e. 11.12.2026 before the Joint Registrar as also before the Court i.e. 15.12.2026 stand cancelled.

TUSHAR RAO GEDELA, J

OCTOBER 28, 2026
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