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

+ RFA 332/2012

MAHESH KUMARAppellant

Through: Appearance not given.

versus

SATISH DUGGALRespondent

Through: Mr. K.K. Sabhaiwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **29.01.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal under Section 96 of the CPC, seeks the following prayers:-

“It is, therefore, prayed that this Hon’ble Court may be pleased to set-aside the judgment and decree dated 03.03.2012 passed by the Court of Sh. Ajay Kumar Kuhar, ADJ-1 (Central), Tis Hazari Court, Delhi in suit no. 1124/08 and may be pleased to allow this appeal and decreed the suit in question for specific performance with cost throughout.

Such other or further order as it may deem fit and proper in the circumstances of the case may please be passed in favour of the appellant.”

3. Learned counsel appearing on behalf of the respondent has handed up in Court today settlement agreement dated 12.01.2026 which records as under:-

“1. That both the parties have agreed to resolve the above pending disputes out of court amicably by having to execute this settlement deed outside the court in order to resolve all pending disputes among each other.

2. That 1st party shall withdraw the above stated pending matted from



the Hon'ble Delhi High Court.

3. That 2nd party in lieu of such settlement will pay an lump sum amount of Rs. 1,00,000/- (Rs. 1 lac only) in cash on 29th Jan 26 and Rs 3,00,0000 (Rupees Three lac Only) in shape of Demand Draft bearing no. 000043 of Union Bank dated 05/01/2026 payable in name of 1st party on or before next date of hearing i.e. 29.01.2026.

4. Both parties agree and undertake to unconditionally refrain from all civil or criminal litigations in context to the above stated property, parties undertake to withdraw if so taken till date, against each other at any forum or court under intimation to other parties and will not claim any further claim in any court of law.

5. That this full and final settlement will bring complete severance of all financial ties between both the parties till the date this settlement is arrived by the parties and none of the parties can claim any further compensation or damages in any forum or in any court of law.”

4. An amount of Rs. 4 lakhs in the aforesaid terms has been paid to learned counsel for the petitioner in the Court today.

5. In view of the above, learned counsel appearing on behalf of the petitioner seeks leave of this Court to withdraw the present petition.

6. Leave granted.

7. The present petition is dismissed as withdrawn and disposed of accordingly.

8. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 29, 2026/sn/db