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

+ **CONT.CAS(C) 425/2025**

BEENA DEVI

.....Petitioner

Through: Mr. Sanjay Mani Tripathi, Mr.
Rajnish Kumar, Ms. Mamta Rani, Mr.
Suraj Kumar singh, Mr. Kamal Kant
Tripathi, Advs.

versus

YASH

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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20.03.2025

CM APPL. 16346/2025 (Exemption)

3. Exemption is allowed, subject to all just exceptions.

4. Application is disposed of.

CONT.CAS(C) 425/2025

1. This petition has been filed alleging disobedience of the settlement dated 3rd June 2024, before the Mediation Centre of Dwarka Courts and the undertaking dated 5th August 2024 before the *Court of JM (1st Class) (Mahila Court) South West District, Dwarka Courts* in MC No.335/2023.

2. The petitioner is the mother of respondent, who initiated proceedings under Sections 12, 17, 18, 23 of *Protection of Women from Domestic Violence Act, 2005*, against respondent, seeking directions *inter alia* right of residence, compensation, and other protection.

3. The respondent had been living along with his paternal aunt and uncle



in the matrimonial house. The husband of the petitioner passed away on 24th June 2021, while in service, who was *Safai Karamchari* in MCD.

4. On 3rd June 2024, a settlement had been arrived at. As per the settlement, the following had been agreed to:

- (a) The applicant and Ms. Sakshi have decided to relinquish their one third share each in the property bearing number 107, Jaat Mohalla, Hastal Nagar, Uttam Nagar, New Delhi, in favour of the respondent Sh. Yash. Both applicant and Ms. Sakshi shall cooperate the respondent Sh. Yash for execution of documents with respect to property number 107, Jaat Mohalla, Hastal Nagar, Uttam Nagar, New Delhi.
- (b) The respondent Sh. Yash shall pay a sum of Rs. 1,00,000/- (one lac only) to Ms. Sakshi, by way of DD on the date fixed i.e. 20.08.2024.
- (c) The respondent Sh. Yash shall also give NOC in favour of applicant for apply of government job on compensatory ground and self attested copy of his Aadhar card, PAN card and birth certificate. The respondent shall also give original documents of late Sh. Ajay i.e. Aadhar card, ID card, voter card, caste certificate and PAN Card, on or before 25.06.2024.
- (d) The respondent Sh. Yash shall also handover the original caste and birth certificate, if any, of Ms. Sakshi, on or before 25.06.2024.
- (e) Both the parties shall make appropriate statements before the Ld. Referral Court, in terms of this settlement, on the date fixed.
- (f) The applicant shall withdraw the present complaint before Ld. Referral court on the date fixed i.e. 20.08.2024

5. Counsel for petitioner states that respondent has not paid Rs.1,00,000/- on the scheduled date of 20th August 2024 for giving the No Objection Certificate ('NOC'), nor has he handed over any of the original documents. Therefore, the relinquishments have also not been executed by the petitioner.



6. Issue Notice to respondent on steps being taken by the petitioner through all permissible modes including E-mail, etc.
7. Returnable on 8th May 2025.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 20, 2025/ak/bp