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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 329/2019**

ANKIT GUPTA & ORS.Plaintiffs

Through: **Mr. Bheem Sain Jain, Adv.**
versus

VINEET JAIN & ORS.Defendants

Through: **Mr. S.K. Mishra and Mr. Amit Mishra, Advs. for D-1 and D-1 in person**
Mr. Vishal Maan & Mr. Kartik Dabas, Advs. for D-3,5,6,7,8 and 10
Mr. Jasbir Singh Malik and Ms. Prachi Soni, Adv. for D-11 through VC

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
03.11.2025

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I.A. 27199/2025

1. The present application has been jointly filed under Order 23 Rule 3 read with Section 151 of the CPC on behalf of the Plaintiffs and Defendant No.1 on the basis of the MoU dated 04.10.2025 entered into between the Plaintiffs and Defendant No.1.

2. The relevant portion of the MoU dated 04.10.2025 reads as under:-

“2. The Second Party, on execution of this agreement, shall deliver and handover of the vacant and peaceful possession of the portion of the subject property in occupation of the Second Party i.e. 185.16 sq. yds (shown in green colour in the site plan annexed to the suit) to the First Parties, The second, party has, with the consent of the first parties, demolished/removed the structure/rooms constructed in the portion of the subject property in occupation of the Second Party (shown in green colour in the site plan annexed to the suit, however, he shall not



demolish the surrounding boundary wall except the road facing part which shall be used by the first parties for their gate, which has been requested by the first parties. That, as agreed. Second Party has raised a boundary wall at the end of the subject property (shown in green colour in the site plan annexed to the suit) for the purposes of demarcation of the land shown in green color from that shown as Hospital so as to end any future discrepancy and dispute over boundaries. The first parties have physically inspected the site and are duly satisfied with the demarcation of the land and have satisfied themselves towards”

(emphasis supplied)

3. Issue notice.
4. Learned Counsels for Defendants No.1, 3, 5, 6, 7, 8, 10 and 11, accept notice.
5. On taking steps, let notice be issued to the remaining Defendants through all modes.
6. Reply, if any, be filed before the next date of hearing.
7. List on 05.12.2025.

SUBRAMONIUM PRASAD, J

NOVEMBER 3, 2025
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