



\$~34

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

+ **CS(OS) 892/2024 & I.A. 44702-44703/2024**

HARCHARAN SINGH DOOGALPlaintiff

Through: Mr. Ashwini Kumar Mata, Senior
Advocate with Ms. NPS Chawla, Mr.
Sujoy C Datta, Mr. Surekh Kant
Baxy, Advocates

versus

CHARANJIT SINGH DOOGAL AND ORS.Defendants

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **12.11.2024**

CS(OS) 892/2024

1. This is a suit filed seeking decree of perpetual prohibitory injunction restraining the defendants from creating third-party rights over the admitted share of the plaintiff in the property bearing no. C-38, Nizamuddin East, New Delhi – 110013 ('suit property') in contravention of the terms of the settlement agreement dated 15.02.2013 entered between the parties herein.
2. Learned senior counsel for the plaintiff states that the plaintiff was provided with a copy of the collaboration agreement dated 13.04.2024 ('collaboration agreement') which records that the plaintiff herein is entitled to receive a sum of Rs. 2.48 crores towards his acknowledged share in the suit property.
3. He states that the plaintiff remains ready and willing to abide by the terms of the collaboration agreement. He states that the apprehension that



plaintiff has is with regards to the timeline for performance of the said collaboration agreement, to the extent of remitting funds due to the plaintiff herein; since the time lines keeps getting extended. He states that the plaintiff otherwise does not have any objection to the terms of the collaboration agreement.

4. He also relies upon an e-mail dated 12.11.2024 received from defendant no. 1 after the service of the present suit.

5. None appears on behalf of the defendants, despite advance service.

6. In the considered opinion of this Court, the issues raised in the plaint can be resolved amicably and the plaintiff's interest can be secured by the proposed developer by remitting/depositing plaintiff's share of Rs. 2.48 crores in a time bound manner.

7. Accordingly, to examine if the issue can be amicably resolved between the parties, issue Court's notices to defendant no. 1 through e-mail and WhatsApp and to dasti notice to defendant no. 8 through Court's process server, for this limited purpose.

8. It is clarified that summons have not been issued in this suit.

9. List on **02.12.2024** in the *Supplementary List*.

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 12, 2024/msh/ms

Click here to check corrigendum, if any