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

+ **CS(OS) 2424/2010**

JAI RATTAN BHALLA AND ANOTHERPlaintiffs

Through: Mr.Rajat navet and Mr.Rajat Rana,
Advocates

versus

PURI INVESTMENTS AND OTHERSDefendants

Through: Mr.Jeevesh nagrath, Mr.Arjun Gaur
and Mr.Rajat Gupta, Advocates
Mr.Mrityunjay Kumar Singh,
Mr.Avinesh Kumar and Mr.Saikat,
Advocates

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **25.09.2024**

I.A. Nos. 40424/2024 (u/s 151 CPC by defendant nos. 3(a), 3(b), 3(c) and 4 for exemption)

1. By way of present application, the above noted applicants pray for exemption from filing notarised and apostille affidavits in support of the accompanied settlement application.
2. The learned counsel appearing on behalf of the aforesaid defendants/applicants submits that the apostille affidavits or affidavits attested by an Oath Commissioner will be filed within a period of four weeks. The statement is taken on record.
3. In view of the above, the application is allowed subject to all just exceptions.
4. The application stands disposed of.

I.A. No.40423/2024 (u/O 23 Rule 3 read with Section 151 CPC filed



jointly by the parties.)

1. The present application has been filed jointly by the plaintiff as well as the defendants for passing a consent order in terms of the settlement arrived at between the parties.
2. The learned counsel appearing on behalf of the parties jointly submit that during the pendency of the present suit, parties have arrived at a settlement, terms whereof have been incorporated in paragraph 20 of the application itself. It is submitted that there are number of properties that are jointly owned by the parties, however, the present settlement is confined only to the properties mentioned in sub para (ii) of paragraph 20. The parties are yet to arrive at consensus with regard to the property mentioned in sub-para (i) of para 20.
3. It is submitted that the shares of the parties in the suit properties have already been declared in terms of the decree passed by this Court on 28.07.2017, which has been annexed to the present application as document No.1.
4. It is further submitted that in terms of the settlement, the parties have decided to sell all the properties enumerated in sub-para (ii) of para 20 of the present application and to divide the sale proceeds of the same in the proportion of their respective shares as declared in the preliminary decree. The ratio of the respective shares has also been mentioned in sub-para (iii) of para 20 of the application.
5. I have perused the terms of the settlement, the same appears to be lawful, therefore, there is no impediment in disposing of the present applications as per the agreed terms. The application is signed by all the parties who have share in the suit properties. Further the application is also



supported by their affidavits.

6. In view of the above, the suit *qua* the properties enumerated in sub-para (ii) of para 20 of the application is disposed of in terms of the settlement arrived at between the parties. The parties shall remain bound by the terms of the settlement.

7. Having regard to the fact that the parties have arrived at a settlement, it is prayed by the learned counsel appearing on behalf of the parties that the *status quo* order passed by this Court *vide* order dated 1.12.2010 with regard to the suit properties may be vacated *qua* the properties mentioned in sub-para (ii) of para 20 of the application to enable the parties to give effect to the terms of settlement. It is ordered accordingly.

8. However, the *status quo* order shall continue to remain in force *qua* the property mentioned in sub para (i) of the para 20 of the present application, till the disposal of the entire suit.

9. This order may be given *dasti* to the learned counsel for the parties under signatures of the Court Master.

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10. List on 22.01.2025 i.e. the date already fixed.

VIKAS MAHAJAN, J

SEPTEMBER 25, 2024

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