

CS No.1044/2016 (Old No.61/2015)  
MOTI LAL JAIN Vs. PAWAN KUMAR SHARMA & ORS.

(Through V/C Cisco-Webex)

24.07.2020

At 12:40 PM to 01:00 PM & At 02:20 PM to 02:30 PM

This is an application filed u/o 23 Rule 3 R/w Section 151 CPC filed by the parties jointly for passing of decree on the basis of compromise.

Present : Sh. Shubham Devadiya, Ld. Trainee Judge.

Plaintiff alongwith Ld. counsel Sh. Anuj Jain, Adv.

All the defendants alongwith Ld. Counsel Sh. Abhinav Tyagi, Adv.

It is submitted by the parties jointly that the matter got settled between them before the Mediation Centre, Hon'ble High Court of Delhi on 13.03.2020, as per Memorandum Of Settlement (MOS), copies of which are on record. It is also submitted by the plaintiff that in discharge of obligations on his part, he is handing over three cheques for Rs.60 lacs, two for Rs.27 lacs each and the third one for Rs.6 lacs to the defendants no.1, 3 & 2 respectively. Both the parties undertake to abide by the terms of settlement and prayed for passing of a decree, as prayed in the application.

Heard. Record perused.

This is a suit for declaration and permanent injunction pending since May, 2015. The application is found to be made by the parties voluntarily and the matter even got settled before the Mediation Centre, Hon'ble High Court of Delhi in terms of Memorandum Of Settlement (MOS) arrived at between the parties. Three cheques for Rs.60 lacs have been handed over by the plaintiff to the defendants.

Statements of the parties are recorded separately. In view of the statements and the settlement between the parties, **the application is allowed.** The suit is decreed, as prayed in the application. The report of Mediation Centre (Ex-P1) and Memorandum Of Settlement (MOS) (Ex-P2) shall also form part of the Decree.

The Sub-Registrar, Basal Darapur, New Delhi is directed to make endorsement on the sale-deed dated 17.10.2014 in favour of defendants i.e Sh. Pawan Kumar Shara, Sh. Vikas Attray and Sh. Satpal Kohli (registered as document No.16629, Addl. Book No.1, Volume No.22070, Page 73-80, registered on 18.11.2014) with respect to built-up property No.9/16, South Patel Nagar, New Delhi measuring 200 sq.yards as null and void.


Decree sheet be prepared accordingly.

The application stands disposed off.

File be consigned to record room.

Earlier date is cancelled.

A scanned copy of order-sheet be sent to the Coordinator of Computer Branch for uploading it on the website, as per procedure.

  
**(RAJINDER KUMAR)**  
**SCJ-cum-RC (West), THC**  
**Delhi: 24.07.2020**

CS No.1044/2016 (Old No.61/2015)  
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24.07.2020

Statement of Sh. Vikas Attray S/o Sh. K.C. Attray R/o A-90, Ram Prastha,  
Ghaziabad, U.P.

On SA


I am the defendant no.2 in this case and have filed a joint application U/o  
23 Rule 3 CPC for passing of decree. The matter got settled with the plaintiff before the  
Mediation Centre, Hon'ble High Court of Delhi on 13.03.2020. The copy of the said  
Report is already Ex-P1 bearing my signature at point 'B' and on the Memorandum of  
Settlement (MOS) already (Ex-P2) at point 'Y'. Today, I have received a cheque  
No.022558 for Rs.6 Lacs dated 23.07.2020 from the plaintiff. I have no objection if the  
suit is decreed in terms of the said settlement, subject to encashment of the cheque. I  
undertake to abide by the terms of the said settlement. I am making the statement  
voluntarily in the presence of my counsel.

RO&AC

Vikas Attray

I identify the def. No.2  
who has signed in my  
presence.

Atul Kumar  
D/947/05

  
(RAJINDER KUMAR)  
SCJ-cum-RC (West), THC  
Delhi: 24.07.2020



CS No.1044/2016 (Old No.61/2015)  
MOTI LAL JAIN Vs. PAWAN KUMAR SHARMA & ORS.

(Through V/C Cisco-Webex)

24.07.2020

Statement of Sh. Pawan Kumar Sharma S/o Late Sh. Sehdev Swami R/o  
1082, Gandhi Gali, Fateh Puri, Delhi - 110006.

On SA

I am the defendant no.1 in this case and have filed a Joint Application U/o  
23 Rule 3 CPC for passing of decree. The matter got settled with the plaintiff before the  
Mediation Centre, Hon'ble High Court of Delhi on 13.03.2020. The copy of the said  
Report is Ex-P1 bearing my signature at point 'A' and on the Memorandum of Settlement  
(MOS) (Ex-P2) at point 'X'. Today, I have received a cheque No.022556 for Rs.27 Lacs  
dated 23.07.2020 from the plaintiff. I have no objection if the suit is decreed in terms of  
the said settlement, subject to encashment of the cheque. I undertake to abide by the  
terms of the said settlement. I am making the statement voluntarily in the presence of  
my counsel.

RO&AC



I identify the defendant No.1  
who has signed in my  
presence.

et alinar  
3/948/05



(RAJINDER KUMAR)  
SCJ-cum-RC (West), THC  
Delhi: 24.07.2020

(Through V/C Cisco-Webex)

24.07.2020

Statement of Sh. Moti Lal Jain S/o Late Sh. R.S. Jain, R/o 9/16, South Patel Nagar, New Delhi – 110008.

On SA

I am the plaintiff in this case. I have gone through the statement made by the defendants today. The matter got settled with the defendants before the Mediation Centre, Hon'ble High Court of Delhi on 13.03.2020. The copy of the said mediation Report is already Ex-P1 bearing my signature at point 'D' and on the Memorandum of Settlement (MOS) already (Ex-P2) at point 'Zx'. I have handed over two cheques for Rs.27 lacs each bearing No.022556 and 022557 and also a cheque bearing No.022558 for Rs.6 Lacs, all dated 23.07.2020 to the defendants no.1, 3 and 2 respectively. In terms of the said settlement, suit be decreed by allowing our application. I undertake to abide by the terms of the said settlement. I am making the statement voluntarily in the presence of my counsel.

RO&AC

Moti Lal Jain

Signature identified  
as I know and identify Plaintiff,  
being signed in my presence

Anuj Jain

(ANUJ JAIN)

B.S.V.

0-15 26/ 0001

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(RAJINDER KUMAR)  
SCJ-cum-RC (West), THC  
Delhi: 24.07.2020

**RC/ARC No.153/2017**  
**Kumud Sethi VS. Raj Kumar Babbar & Ors.**

(Through V/C Cisco-Webex)

**24.07.2020**

**At 12:00 Noon to 12:40 PM**

**Present :** Sh. Shubham Devadiya, Ld. Trainee Judge.


Sh. Neeraj Yadav, Ld. Counsel for the petitioner.

Sh. Akshat Kumar, Ld. Counsel for respondents no.1 & 3.

Sh. Rajesh Baweja, Ld. Counsel for respondents no.2.

Part arguments on leave to defend application heard.

Be listed for remaining arguments on leave to defend application on **27.07.2020**. A scanned copy of order-sheet be sent to the Coordinator of Computer Branch for uploading it on the website, as per procedure.

  
**(RAJINDER KUMAR)**  
**SCJ-cum-RC (West), THC**  
**Delhi: 24.07.2020**

RC/ARC No.88/2019  
Mukesh Goel VS. Subedar Singh

(Through V/C Cisco-Webex)


**24.07.2020**

**At 11:30 AM to 11:35 AM**

Present : Sh. Shubham Devadiya, Ld. Trainee Judge.  
Sh. Roop Narain, Ld. Counsel for the petitioner.  
Ld. Proxy for Sh. Praveen Suri, Ld. Counsel for  
respondent.

It is submitted by the Ld. Proxy counsel for the respondent that the main counsel is busy in holding Video-conferencing in a case before the Hon'ble High Court of Delhi. Same is not opposed.

Be listed for arguments on leave to defend application on **31.07.2020**. Rejoinder (if any) be filed with advance copy to the plaintiff. A scanned copy of order-sheet be sent to the Coordinator of Computer Branch for uploading it on the website, as per procedure.

  
(RAJINDER KUMAR)  
SCJ-cum-RC (West), TFC  
Delhi: 24.07.2020



(Through V/C Cisco-Webex)

24.07.2020

Statement of Sh. Satpal Kohli S/o Late Sh. T.S. Kohli R/o J-204, Rajouri Garden, New Delhi - 110027.

On SA

I am the defendant no.3 in this case and have filed a joint application U/o 23 Rule 3 CPC for passing of decree. The matter got settled with the plaintiff before the Mediation Centre, Hon'ble High Court of Delhi on 13.03.2020. The copy of the said Report is already Ex-P1 bearing my signature at point 'C' and on the Memorandum of Settlement (MOS) already (Ex-P2) at point 'Z'. Today, I have received a cheque No.022557 for Rs.27 Lacs dated 23.07.2020 from the plaintiff. I have no objection if the suit is decreed in terms of the said settlement, subject to encashment of the cheque. I undertake to abide by the terms of the said settlement. I am making the statement voluntarily in the presence of my counsel.

RO&AC



(RAJINDER KUMAR)  
SCJ-cum-RC (West), THC  
Delhi: 24.07.2020

*Satpal Kohli*

*I identify the def No.3  
who has signed in my  
presence.*

*abhinav  
D/948/05*