

\$~15

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

+ **CS(OS) 1870/2008**

SHEELA GEHLOT

..... Plaintiff

Through: Mr.Sanad Kumar Jha, Advocate with
Mr. Kaushal Budhia, Advocate with
plaintiff in person.

versus

SHRI J.K.KASHYAP AND ORS.

..... Defendants

Through: Mr. Abhishek Singh, Advocate for
defendant Nos.2 and 3 with defendant
no.3 and Power of Attorney of
defendant No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

O R D E R

%

31.05.2018

I.A. No.7683/2018 (for early hearing)

1. This application is allowed by granting early hearing.

I.A. stands disposed of.

I.A. No.7627/2018 (exemption)

2. This application is allowed subject to just exceptions.

I.A. stands disposed of.

I.A. No.7626/2018 (under Order 23 Rule 3 CPC filed by plaintiff and defendant nos.2 and 3) and CS(OS) No.1870/2008

3. By this application (I.A. No.7626/2018), the present suit for specific performance is being compromised inter se the plaintiff and the defendant nos.2 and 3. It is agreed by this compromise application that defendant nos.2 and 3 will execute the sale deed for the suit property bearing no.1/14, Eastern Side, Shanti Niketan, New Delhi-110021 admeasuring 600 sq yds in favour of the plaintiff on receipt of consideration of Rs.25 crores as stated in the compromise application.

4. This application is therefore allowed and a decree for specific performance is passed and as agreed defendant nos.2 and 3 will execute the sale deed of the suit property in favour of the plaintiff. It is also agreed that decree will operate on the plaintiff paying court fee on an amount of Rs.15.50 crores i.e difference of the price today agreed of Rs.25 crores and the price of Rs.9.50 crores on which court fee has been paid in the suit. Decree sheet will only then be drawn up on filing the necessary court fee.

5. Suit is disposed of as compromised between the plaintiff and defendant nos.2 and 3 binding the parties to the terms as stated in the present compromise application but subject first to the court fee being paid on the amount of Rs.15.50 crores.

6. I.A. and the suit between the plaintiff and defendant nos.2 and 3 stand disposed of accordingly.

VALMIKI J. MEHTA, J

MAY 31, 2018

Ne