

Taposh Chatterjee vs.madhulika Chatterjee

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SooperKanoon Citation : sooperkanoon.com/1207422

Court : Delhi

Decided On : Jul-28-2017

Appellant : Taposh Chatterjee

Respondent : Madhulika Chatterjee

Judgement :

\$~26 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + Judgment delivered on:

28. 07.2017 CS(OS) 2970/2012 Plaintiff Defendant TAPOSH CHATTERJEE versus MADHULIKA CHATTERJEE Advocates who appeared in this case: For the Plaintiff For the Defendant :, Ms. Rashi Bansal, Advocate with plaintiff in person. : Mr. Manoj Chatterjee with Ms. K. Iyer, Advocates with defendant in person CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT2807.2017 SANJEEV SACHDEVA, J.

(ORAL) CS(OS) 233/2011 1. Plaintiff has filed the present suit for declaration, partition, permanent injunction and rendition of accounts.

2. 3. The parties were referred to mediation. The parties have settled their disputes through the process of mediation and, accordingly, interim settlement agreements dated 03.12.2014, 16.01.2015, 19.10.2016, 11.01.2017 and 20.03.2017 were executed. CS(OS)2970/2012 Page 1 of 3 4. In furtherance to the

interim settlement agreements, referred to above, final settlement agreement dated 12.05.2017 has been executed.

5. Both the Plaintiff and defendant are present and are identified by their respective counsel.

6. The settlement agreement dated 03.12.2014 already stands executed as Exb. C - 1.

7. The settlement agreements dated 16.01.2015, 19.10.2016, 11.01.2017, 20.03.2017 and 12.05.2017 are exhibited and marked as Exb. C - 2, Exb. C - 3, Exb. C - 4, Exb. C - 5 and Exb. C - 6.

8. I have examined the terms of the settlement agreements and find the same to be lawful.

9. Learned counsel for the parties submit that the decree in terms of settlement agreements Exb. C - 1 to Exb. C - 6 be passed.

10. The suit is, accordingly, decreed in terms of the settlement agreements Exb. C - 1 to Exb. C - 6.

11. Settlement agreements Exb. C - 1 to Exb. C - 6 shall form part of the Decree. Decree Sheet be prepared accordingly.

12. Since the suit has been settled through the process of mediation, the plaintiff is entitled to refund of court fee in accordance with Court Fee Act, 1870. CS(OS)2970/2012 Page 2 of 3 13. Registry shall process the case for issuance of appropriate certificate authorising the plaintiff to seek refund of the court fee from the appropriate authority.

14. Order Dasti under signatures of court master. JULY28 2017 st SANJEEV SACHDEVA, J CS(OS)2970/2012 Page 3 of 3