



2026:DHC:2784



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 02nd April, 2026***

+ CM(M) 3147/2024, CM APPL. 81325/2025 & CM APPL. 81341/2025

EROS CITY DEVELOPERS PVT. LTDPetitioner

Through: Mr. Akhil Sibal, Sr. Advocate with
Mr. Vikas Mishra, Mr. Krishnesh B.,
Mr. Sanchit G. and Mrs. Sarah Haque,
Advocates.

versus

SMT. GINA SINGH CHOUDHARY & ANR.Respondents

Through: Mr. Deepanshu Jain, Mr. Shaantanu
Jain and Ms. Jahanvi Khanna,
Advocates along with respondents in
person through VC.**CORAM:****HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA****ORDER (Oral)****Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed under Article 227 of the Constitution of India, 1950, assailing the impugned orders dated 09th July, 2024, passed by the learned National Consumer Disputes Redressal Commission in First Appeal No. 432/2024 and 30th April, 2024, passed by the learned Delhi State Consumer Disputes Redressal Commission, in Consumer Complaint No. 324/2016 respectively.
3. During the pendency of the present petition, the parties have entered into a settlement *vide* settlement agreement dated 19th December, 2025.



Thereafter, a joint application being **CM APPL. 81325/2025** has been filed on behalf of the parties seeking, *inter alia*, the following reliefs:

“a) Allow the present Petition and accordingly, quash/set-aside the following Orders in terms of the Settlement Agreement dated 19.12.2025: (i) Order dated 09.07.2024 passed by the Hon'ble National Consumer Disputes Redressal Commission in First Appeal No. 432 of 2024 titled 'Eros City Developers Pvt. Ltd. v. Smt. Gina Singh Chaudhary and Anr; and (ii) Order dt. 30.04.2024 passed by the Ld. Delhi State Consumer Disputes Redressal Commission, New Delhi in Consumer Complaint No. 324 of 2016 titled 'Smt. Gina Singh Chaudhary & Anr. v. Eros City Developers Pvt. Ltd.';”

4. The settlement agreement dated 19th December, 2025 has also been placed on record. The relevant paragraph no. 7 of the agreement reads as follows:

“7. Upon execution of the present Settlement Agreement/MoU and receipt of the aforementioned settlement amount, the Parties agree and confirm the following with respect to the Original Consumer Complaint. Judgment dated 30.04.2024 passed therein, First Appeal, Order dated 09.07.2024 passed therein, High Court Petition and Execution Petition:

(i) The Second Parties hereby unconditionally withdraw the Original Consumer Complaint (Consumer Complaint No.324/2016 titled as Ms Gina Singh Choudhary and Another vs. Eros City Developers Private Limited') filed before the Id. State Commission, Delhi;

(ii) The Second Parties agree and confirm that in view of aforesaid unconditional withdrawal of the Original Consumer Complaint the Judgment dated 30.04.2024 passed by the Ld. State Commission in the Original Consumer Complaint (detailed above) has become infructuous with no legal effect and shall not be enforced by them in any manner;



(iii) The Second Parties further agree and confirm that in view of aforesaid unconditional withdrawal of the Original Consumer Complaint the Order dated 09.07.2024 passed by the Hon'ble National Commission in the First Appeal Complaint (First Appeal No.432 of 2024, titled "Eros City Developers Private Limited vs. Ms. Gina Singh Choudhary and Another") has become infructuous with no legal effect and shall not be enforced by them in any manner;

(iv) The Second Parties also agree that in view of aforesaid unconditional withdrawal of the Original Consumer Complaint they have no objection to the reliefs sought by the First Party in the High Court Petition and accordingly, the Judgment dated 30.04.2024 passed by the Ld. State Commission in Consumer Complaint No.324/2016 titled as Ms. Gina Singh Choudhary and Another vs Eros City Developers Private Limited" and the Order dated 09.07.2024 passed by the Hon'ble National Commission in the First Appeal Complaint (First Appeal No.432 of 2024, titled ("Eros City Developers Private Limited vs. Ms. Gina Singh Choudhary and Another") be set aside as prayed for in the High Court Petition;

(v) The Second Parties hereby undertakes to unconditionally withdraw the Execution Petition (Execution Petition dated 13.01.2025, bearing No. SC/7/EA/6/2025, titled "Gina Singh Choudhary and Another vs Eros City Developers Private Limited") filed before the Ld. State Commission, Delhi;"

5. The respondents have appeared through VC and learned Counsel for the respondents have submitted that the present petition may be disposed of in terms of the settlement agreement, as all the terms and conditions thereof have been duly complied with.

6. Learned Counsels for the parties have placed reliance upon the judgment of Hon'ble Supreme Court in **SLP (C) No. 25905/2024** titled **Bipin**



Bihari Sinha @ Bipin Prasad Singh v. Harish Jaiswal and the judgment of Hon'ble High Court of Kerala at Ernakulam in ***RFA No. 837/2015*** titled as ***Vinod and Ors. v. Prakashan and Anr.*** to support their prayer as made in the joint application.

7. In view of the aforesaid settlement agreement particularly paragraph no. 7 of the said agreement, the petition is allowed and the impugned orders dated 09th July, 2024 and 30th April, 2024 are set aside.

8. The next date of hearing i.e. 06th May, 2026 stands cancelled.

CM APPL. 81331/2025 (for directions)

9. The present joint application has been filed on behalf of the parties under Article 227 of the Constitution of India, 1950 read with Section 151 of Code of Civil Procedure, 1908, seeking release of an amount of Rs. 41,80,998/- to the petitioner, deposited in terms of order dated 09th August, 2024 passed by this Court.

10. Learned Counsel for the respondents submits that the respondents have no objection if the present application is allowed, as the matter has been settled between the parties, and the said amount be released to the petitioner as prayed in the application.

11. Keeping in view the submissions made by learned Counsel for the parties, the present application is allowed and learned State Commission to release the amount of Rs. 41,80,998/- to the petitioner.

RAJNEESH KUMAR GUPTA, J

APRIL 02, 2026/MR/ik