

28 & 29

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

+ CS(OS) 2009/2010

AKSHAY SOBTI & ORS

..... Plaintiffs

Through : Mr. A.K. Mishra, Advocate with
GPA holder of the plaintiffs in person.

versus

M/S ICICI BANK LTD

..... Defendant

Through : Mr. Ujjawal Kumar Jha, Advocate
with AR of the defendant in person.

AND

+ CS(OS) 128/2011

ICICI BANK LTD

..... Plaintiff

Through : Mr. Ujjawal Kumar Jha, Advocate
with AR of the plaintiff in person.

versus

AKSHAY SOBTI & ORS

..... Defendants

Through : Mr. A.K. Mishra, Advocate with
GPA holder of the defendants in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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30.05.2013

**IA No.9334/2013 in CS(OS) 2009/2010 and IA No.9494/2013
in CS(OS) 128/2011 (joint applications u/O XXIII R-1 & 3 CPC)**

1. The present joint applications have been filed by the parties
stating *inter alia* that they have set out the details of the terms and

CS(OS) 2009/2010 & CS(OS) 128/2011

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conditions of the settlement, as broadly recorded in the order dated 16.5.2013.

2. Counsels for the parties state that the terms and conditions of the settlement arrived at between the parties have been detailed in para 3 of the application and in furtherance thereto, the defendant/ICICI Bank has handed over pay orders for the amount payable to the plaintiffs and in turn, the plaintiffs have returned the security amount to the defendant/ICICI Bank.

3. In view of the aforesaid settlement arrived at between the parties, counsels for the parties jointly state that the present suits may be disposed of.

4. The Court has perused the present applications. The same have been signed by Mr. Kuldeep Sobti, power of attorney holder of the plaintiffs as also by the authorized signatory of the defendant/ ICICI Bank and their respective counsels. The same is supported by the affidavits of the signatories to the applications. In view of the aforesaid settlement arrived at between the parties of their own free will and volition and without any undue influence or coercion from any quarters, there appears no legal impediment in accepting the present applications.

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5. Accordingly, the applications are allowed and the suits are decreed in terms of the settlement recorded in the applications. The parties shall remain bound by the terms and conditions of the settlement.

5. The suits are disposed of, while leaving the parties to bear their own costs.



HIMA KOHLI, J

MAY 30, 2013
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