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

+ CS(OS) 132/2004

CITICORP & ANR. Plaintiffs

Through : Ms. Nancy Roy, Advocate

versus

DATA BASE COMPUTERS (P) LTD. Defendant

Through : Mr. T.P.S.Kang and Mr.A.S.Khurana,
Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% **29.10.2015**

I.A. No.22813/2015 (joint application u/O XXIII R 3 CPC)

1. The present application has been filed jointly by the parties stating *inter alia* that they have been able to negotiate an out of court settlement. The terms and conditions of the settlement have been set out in para 2 of the application whereunder, the defendant has given a series of undertakings to the plaintiff and in view of the said undertakings, the plaintiffs have given up the relief of damages.

2. Counsels for the parties state that in view of the settlement arrived at between the parties, the suit may be decreed.

3. The Court has pursued the present application. The same has been signed by the authorized representatives of the plaintiffs and by the defendant No.2 for defendant No.1 company and defendant

No.3(wife), as also by the counsels for the parties. The application is supported by the affidavits of the signatories to the application.

4. As counsels for the plaintiffs and the defendant jointly state that their clients have arrived at the aforesaid settlement 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 settlement. The parties shall remain bound by the terms and conditions of the settlement recorded in the present application.

5. The suit is decreed in terms of the settlement arrived at and recorded in the present application, while leaving the parties to bear their own costs.

6. The suit is disposed of, along with the pending application.

7. The date of 18.11.2015 stands cancelled.

File be consigned to the record room.

HIMA KOHLI, J

OCTOBER 29, 2015

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