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

+ CS(OS) 351/2014

ADILA HEALTHCARE LTD Plaintiff
Through: Ms. Namrita Kochhar, Advocate

versus

SEVEN OAK HEALTHCARE PVT LTD & ORS Defendants
Through: Ms. Heena Mongia, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

% **ORDER**
10.08.2015

I.A. 16305/2015 (joint application u/O XXIII R 3 CPC)

1. The present joint application has been filed by the parties stating *inter alia* that during the pendency of the suit proceedings, they have arrived at an out of court negotiated settlement.
2. The terms and conditions of the settlement have been recorded in paras 3 and 4 of the application, whereunder the defendants have given a series of undertakings to the plaintiff and in view of the said undertakings, the plaintiff has agreed to give up the reliefs prayed for in prayer clause 29(b), while confining the reliefs to prayer clauses 29(a) and (c) of the plaint.
3. Counsels for the parties jointly state that the suit may be decreed in terms of the settlement recorded in the present application.

4. The Court has perused the present application. The same has been signed by the authorised signatories of the plaintiff and the defendants as also by their respective counsels. The application is supported by the affidavits of the signatories to the application.

5. As counsels for the plaintiff and the defendants jointly state that they 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.

6. The suit is decreed in terms of the settlement arrived at between the parties and recorded in paras 3 and 4 of the application and in terms of prayer clause prayer clauses 29(a) and (c) of the plaint. Decree sheet shall be drawn accordingly.

7. The suit is disposed of alongwith the pending application, while leaving the parties to bear their own expenses.

8. File be consigned to the record room.

HIMA KOHLI, J

AUGUST 10, 2015

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