

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

+ CS(OS) 249/2008

Decided on : 28.01.2015

IN THE MATTER OF:

INDIAN FARMERS FERTILIZER CO LTD Plaintiff
Through: Mr. Rajiv Bansal, Advocate with
Ms. Pallavi, Ms. D. Ray Choudhary and Mr. Nikhil,
Advocates

versus

IFFCO Defendant
Through: Mr. Navroop Singh, Advocate with
Mr. H.P. Singh, Advocate

**CORAM
HON'BLE MS.JUSTICE HIMA KOHLI**

HIMA KOHLI, J.(Oral)

I.A. 1913/2015 (joint application u/O XXIII R 3 CPC)

1. The present compromise application has been filed by the parties stating *inter alia* that during the pendency of the suit, the parties have arrived at an out of court amicable settlement, the terms and conditions whereof have been reduced into writing in the Agreement dated 23.01.2015, executed by the parties and annexed with the present application as Exhibit A-1.

2. Counsels for the parties state that the terms and conditions of the settlement are set out in paras 1 to 11 of the Agreement and para 12 in the Agreement has been incorporated as a dispute resolution clause. Learned counsels state that in view of the settlement recorded in the Agreement, nothing further survives for adjudication in the present suit, which may be decreed in terms thereof.

3. The Court has perused the present application. The same has been signed by the authorized representatives of the plaintiff and the defendant as also their respective counsels. The Agreement dated 23.01.2015 enclosed with the present application has also been signed by the authorized representatives of the plaintiff and the defendant and duly witnessed by two witnesses.

4. As the counsels for the plaintiff and the defendant 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 Agreement. The parties shall remain bound by the terms and conditions of the settlement arrived at between them.

5. The suit is decreed in accordance with the terms and conditions of the Agreement annexed with the present application and marked as Exhibit A-1.

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

JANUARY 28, 2015
rkb

(HIMA KOHLI)
JUDGE