

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

+ CS(OS) 779/2011 & IA No.13736/2011

Decided on 23.04.2015

IN THE MATTER OF :

HERO HONDA MOTORS LIMITED Plaintiff
Through: Ms.Prachi Agarwal, Advocate

versus

MANDEEP SINGH & ANR. Defendants
Through: Mr. Ashish Singh, Advocate

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

HIMA KOHLI, J. (Oral)

1. Counsels for the parties state that pursuant to the parties appearing before the learned Mediator appointed by the Delhi High Court Mediation & Conciliation Centre, in terms of the order dated 27.1.2015, they have arrived at a settlement and a Settlement Agreement dated 4.3.2015 has been placed on record.

2. The terms and conditions of the settlement have been set out in paras (i) to (vii) of the Settlement Agreement.

3. It is stated that in view of the undertakings given by the defendants to the plaintiff, the plaintiff has agreed to forego all other reliefs as mentioned prayer 20(d) to (g) of the plaint. Counsel for the plaintiff states that it has been agreed between the parties that in view

of an amicable settlement arrived at between them, his client shall not press CCP(O) No.41/2011 against the defendants.

4. The Court has perused the Settlement Agreement dated 4.3.2015. The terms and conditions of the settlement are set out in para (i) to (vii) thereof. The same has been signed by the constituted attorney of the plaintiff and the defendants No.1 & 2 as also their respective counsels and the learned Mediator. Enclosed with the Settlement Agreement is a special power of attorney executed by the defendant No.2 in favour of his son, the signatory of the Settlement Agreement.

5. As the counsels for the parties state that the parties 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 same. The Settlement Agreement is taken on record.

6. The suit is decreed in terms of the settlement and the joint statement of the counsels for the parties recorded hereinabove. The parties shall remain bound by the terms and conditions of the settlement arrived at between them.

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

8. At this stage, learned counsel for the plaintiff states that in view of the fact that the parties have arrived at a settlement through the court annexed mediation, he is entitled to claim refund of the court fees in terms of Section 16 of the Court Fees Act.

9. In view of the aforesaid submission made by the counsel for the plaintiff, the Registry is directed to issue a certificate in favour of the plaintiff for refund of the court fees, as per law.

File be consigned to the record room.

The date fixed before the Joint Registrar, i.e., 28.5.2015 stands cancelled.

APRIL 23, 2015
mk

(HIMA KOHLI)
JUDGE