

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

+ **CS(OS) 782/2014 & IA No.4979/2014**

Decided on 26.02.2015

IN THE MATTER OF:

PFIZER PRODUCTS INC. & ANR Plaintiffs
Through : Mr. Nitin Sharma, Adv.

versus

A.B. GUPTA & ND ORS Defendants
Through : Mr. Jaspreet Singh, Adv.

CORAM
HON'BLE MS.JUSTICE HIMA KOHLI

HIMA KOHLI, J. (Oral)

I.A. 3977/2015 (joint application u/O XXIII R 3 CPC)

1. The present joint application has been filed by the parties stating *inter alia* that they have arrived at an out of court negotiated settlement. The terms and conditions of the settlement arrived at between the parties are set out in paras 2 to 4 of the application, wherein certain undertakings have been given by the defendants to the plaintiffs and in view thereof, the plaintiffs have agreed to waive their claim for damages against the defendants.

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

3. The Court has perused the application. The same has been signed by the constituted attorney of the plaintiffs and by the defendant No.1 in his personal capacity and as the Chairman and Managing Director of the defendant No.2 and by the Director of the defendant No.3 as also by their respective counsels. The application is supported by the affidavits of the authorized signatories of the parties.

4. 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 parties shall remain bound by the terms and conditions of the settlement arrived at between them.

5. The application is allowed and the suit is decreed in accordance with the terms and conditions of the settlement recorded in the present application.

6. The parties are left to bear their own costs.

FEBRUARY 26, 2015
sk/rkb

(HIMA KOHLI)
JUDGE