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

+ CS(OS) 1091/2014

M/S LABORATE PHARMACEUTICALS INDIA LTD Plaintiff
Through: Mr. Ankit Sahni, Advocate

versus

M/S QUALITY NEXGEN PHARMACEUTICALS PVT LTD
..... Defendant
Through: Mr. Surinder Singh, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

% **ORDER**
23.04.2015

I.A. 8344/2015 (joint application u/O XXIII R 3 CPC)

1. The present joint compromise application has been filed by the parties stating *inter alia* that they have arrived at an out of court negotiated settlement.
2. The terms and conditions of the settlement are set out in para 2 of the application, whereunder the defendant has given certain undertakings to the plaintiff and in lieu thereof, the plaintiff has agreed to forgo its claim of damages and punitive damages against the defendant as prayed for in prayer clause 28(iii) to (viii) of the plaint. Counsel for the defendant states that he has paid a sum of ₹1 lacs to the plaintiff towards litigation cost as agreed upon and recorded

in the present application, which fact is confirmed by the other side.

3. Counsels for the parties state that the suit may be decreed in accordance with the terms and conditions of the settlement as recorded in para 2 of the application.

4. The Court has perused the present application. The same has been signed by the constituted attorney of the plaintiff and the Director of the defendant and their respective counsels. The application is supported by the affidavits of the signatories to the application.

5. As the counsels for the parties 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 accordance with the terms and conditions recorded in the present application, while leaving the parties to bear their own costs.

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

HIMA KOHLI, J

APRIL 23, 2015

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