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

+ CS(OS) 1912/2014 & IA No.2085/2015

M/S SWEETON FOODS PVT LTD Plaintiff
Through : Mr. D.K. Yadav, Advocate

versus

M/S GRV CONFECTIONRY & FOODS PVT LTD Defendant
Through : Mr. H.P. Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

% **17.07.2015**

IA No.14167/2015 (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 present suit, they have arrived at an out of court settlement.
2. Counsels for the parties state that in terms of the settlement arrived at between the parties, the defendants have given a series of undertakings to the plaintiff, as set out in paras 9 to 15 of the application and in consideration of the said undertakings, the plaintiff has agreed not to press for the reliefs at prayer clause 34(B) to (E) of the plaint. They state that a decree may be passed in favour of the plaintiff and against the defendants in terms of prayer clause (A)(i) & (ii) of the plaint and the terms of the aforesaid settlement.
3. The Court has heard the counsels for the parties and examined

the averments made in the application. The same has been signed by the Directors of the plaintiff and the defendant companies, along with their respective counsels and is duly supported by the affidavits of the signatories.

4. As counsels for the parties jointly state that their clients 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 said settlement. The parties shall remain bound by the terms and conditions of the settlement recorded in the application.

5. The suit is decreed in terms of the settlement arrived at and recorded in the application and prayer clause (A)(i) & (ii) of the plaint, while leaving the parties to bear their own expenses.

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

7. File be consigned to the record room.

JULY 17, 2015
sk/ap

HIMA KOHLI, J