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

+ CS(OS) 2062/2010

M/S RAMA STEEL TUBES LTD Plaintiff
Through : Mr. Purvesh Buttan, Advocate with
Mr. Rajesh Kumar, AR of the
plaintiff in person.

versus

M/S JAIN IRRIGATION SYSTEMS LTD Defendant
Through : Mr. Sandeep Narain, Advocate with
Mr. Anilkumar Mungad, Vice President
of the defendant in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% **16.12.2015**

I.A.No.25584/2015 (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 present proceedings, they have arrived at an out of court settlement, whereunder the defendants have agreed to pay a sum of Rs. 25.00 lacs to the plaintiff in full and final settlement of all disputes, subject matter of the present suit.

2. Counsel for the defendants hands over a cheque bearing No.699926 dated 10.12.2015 for a sum of Rs.25.00 lacs drawn on State Bank of India, Dana Bazar, Jalgaon, Maharashtra in favour of the plaintiff, to the counsel for the plaintiff with an assurance that when presented, the same shall be duly encashed. The said cheque is

accepted by the counsel for the plaintiff, who states that he has no objection to the suit being disposed of as fully settled.

3. The Court has pursued the present application. The same has been signed by the authorized representatives of the plaintiff and the defendants. The application is supported by the affidavits of the signatories to the application. Enclosed with the application is the Settlement Terms Reference dated 25.10.2015 executed by the parties and marked as Annexure-A.

4. As counsels for the plaintiff and the defendants 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 settlement. The parties shall remain bound by the terms and conditions of the settlement recorded in the application.

5. The suit is disposed of in terms of the settlement arrived at and recorded in the application, while leaving the parties to bear their own costs.

File be consigned to the record room.

DECEMBER 16, 2015
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HIMA KOHLI, J