

\$~39.

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

+ CS(OS) 2262/2013

M/S INDIASIGN PVT LTD Plaintiff
Through: Mr. Jasbir Singh, Advocate

versus

M/S AADRI ENTERTAINMENT & MEDIA WORKS PVT LTD Defendant
Through: Mr. Ankit Roopanwal, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

% **ORDER**
03.09.2015

I.A. 18419/2015 (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 suit, they have been able to arrive at an out of court amicable settlement and the terms and conditions whereof have been recorded in the Memorandum of Understanding dated 24.08.2015 enclosed with the present application as Annexure A.

2. In terms of the settlement arrived at between the parties, the defendant has agreed to pay a sum of Rs.50 lacs to the plaintiff in full and final settlement in 12 installments of Rs.4 lacs each and the last and final installment shall be of Rs.2 lacs. Counsel for the plaintiff

states that the first installment of Rs.4 lacs was paid to his client in the month of August, 2015. Counsel for the defendant states that his clients shall remain bound by the terms and conditions of the settlement recorded in the MOU dated 24.08.2015 and shall not default in making payment of any of the instalments. In case of default, the stipulations contained in the MOU will come into play. A request is made to decree the suit in terms of the settlement recorded in the MOU dated 24.08.2015.

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 plaintiff and the authorised representatives of the defendant/company as also their respective counsels and is duly supported by the affidavits of the signatories. Enclosed with the application is the MOU dated 24.08.2015, which has also been signed by the parties.

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 accordance with the terms and conditions of the MOU dated 24.08.2015, while leaving the parties to bear their own expenses. Decree Sheet be drawn accordingly.
6. The suit is disposed of, along with the pending application.
7. File be consigned to the record room.
8. The date already fixed, i.e., 16.09.2015 stands cancelled.

HIMA KOHLI, J

SEPTEMBER 03, 2015

rkb/mk