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

+ CS(OS) 3176/2014 and I.A. 20385/2014

WIN-MEDICARE PVT LTD Plaintiff

Through: Ms. Sanya Bhatnagar, Advocate

versus

M/S S R FORMULATIONS INDIA PVT LTD & ANR..... Defendants

Through: Ms. Lipokienla Echa, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% **21.05.2015**

I.A. 11002/2015 (joint application u/O XXIII R 3 CPC)

1. The present application has been jointly filed by the parties stating inter alia that during the pendency of the present proceedings, they have arrived at an out of court negotiated settlement. The terms and conditions of the settlement have been set out in paras 2 to 11 of the application, whereunder the defendants have given a series of undertakings to the plaintiff and in lieu of the said undertakings, the plaintiff has agreed to forego the claim of rendition of accounts, costs and damages.

2. Counsels for the parties state that the suit may be decreed in terms of the settlement.

3. The Court has perused the present application. The same has been signed by the authorised representative of the plaintiff and the Vice-President of the defendants No.1 and 2 and their respective counsels. The application is supported by the affidavits of the signatories to the application.

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 present application.

6. The suit is decreed in terms of the settlement recorded in the application, while leaving the parties to bear their own expenses.

7. The suit is disposed of alongwith the pending application.

HIMA KOHLI, J

MAY 21, 2015

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