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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CO.PET. 65/2016 & CO. APPL. NOS. 272 & 273/2016**

ASTRAL COMPOSITES Petitioner
Through: Mr. Parminder Singh, Advocate

versus

ERA INFRA ENGINEERING LIMITED Respondent
Through: Mr. Vineet Tayal, Mr. Amit Sharma
& Mr. Robin Chatterjee, Advs.

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

% **16.05.2016**

Counsel for the respondent has offered to settle the outstanding dues of the petitioner by paying a sum of Rs. 1,57,500/- in full and final settlement with regard to all claims of the petitioner, which the subject matter of these proceedings, as well as Suit No. 54/2016 titled **Astral Composites vs. Era Infra Engineering Limited**, filed by the petitioner against the respondent in connection with the same contract.

Counsel for the petitioner states, on instructions from Mr. Mihir Desai, who is also the authorised signatory of the petitioner and through whom the instant petition has been instituted, that the same is acceptable to the petitioner.

Consequently, counsel for the respondent has handed over a cheque bearing No. 080846 dated 16.05.2016 for Rs. 1,57,500 favouring the petitioner drawn on Corporation Bank to counsel for the petitioner in full and final settlement of all the aforesaid claims of the petitioners subject, of course, to due realisation of the same.

Counsel for the respondent undertakes, on instructions from his clients, that the said cheque shall be duly honoured on presentation, and that there are sufficient funds in the account of the respondent to meet this cheque.

This undertaking of respondent is accepted by this Court and the Managing Director of the respondent company shall remain bound by the same.

At the same time, counsel for the petitioner undertakes on behalf of his client that the aforesaid Suit No. 54/2016 shall be unconditionally withdrawn by his client on or before the next date of hearing.

Consequently, and as prayed, the petition and all the accompanying applications are disposed off accordingly.

SUDERSHAN KUMAR MISRA, J.

MAY 16, 2016
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