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

+ CO.PET. 39/2015

DR. RAJIV GULATI Petitioner
Through Ms. Shikha Sapra, Advocate

versus

M. TECH DEVELOPERS LTD. & ORS. Respondents
Through Mr. Devesh Madan for Mr. Sumit
Chander, Advocate

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

% **29.11.2016**

Co. Appl. No. 4584/2016

The present joint application filed on behalf of the parties, under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 prays as follows:-

“A. Permit the Petitioner to withdraw the present company petition in terms of the memorandum of settlement dated 24.10.2016;

B. Modify the order dated 14.09.2016 in as much as setting aside the directions restraining the respondent company from transferring, alienating or parting with any of its immovable assets or engage in any banking transactions; and

C. Pass such further other and further order/orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.”

Learned counsel appearing on behalf of the parties, state in unison, that the underlying dispute that led to the institution of the accompanying company petition has been amicably settled by and between the parties and the terms and conditions of the settlement are enshrined in the Memorandum of Settlement

dated 24th October, 2016 and the said Memorandum of Settlement is annexed as 'Annexure-1' to the present application.

The said Memorandum of Settlement dated 24th October, 2016 entered into between the parties is lawful and the same is taken on record. The parties shall abide by the terms and conditions of the said Memorandum of Settlement dated 24th October, 2016 without demur.

In view of the foregoing, the present application is allowed.

Learned counsel appearing on behalf of the petitioner is permitted to withdraw the accompanying company petition.

Consequently, the accompanying company petition is dismissed as withdrawn and disposed of accordingly. Pending applications, if any, also stand disposed of.

The interim order dated 14th September, 2016 passed by this Court, is hereby vacated, *qua* the present petitioner.

SIDDHARTH MRIDUL, J

NOVEMBER 29, 2016
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