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

+ **W.P.(C) 1245/2015**

KALASH INDIA

..... Petitioner

Through Ms. Sunita Arora, Advocate with
Ms. Kamlesh Dewan, Proprietor.

versus

STATE NCT OF DELHI & ORS

..... Respondents

Through Manu, Advocate for Mr. Ankur Chhiber,
Advocates for R1.
Ms. Vidushi Sharma, Advocate for
Mr. R. C. S. Bhadauria, Advocate with R 2 to 6
in person.

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

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02.03.2016

CM Appl. No. 7722/2016 & WP(C) No.1245/2015

This application has been moved jointly by the petitioner and the main contesting respondent Nos. 2 to 6 stating that the matter has been settled on terms and praying that the petition be disposed off in terms of the Memorandum of Settlement executed between the parties on 16th February, 2016, on which date, the said settlement was also attested by the Notary.

Both counsel approbate the aforesaid settlement and affirm that even though the date of Memorandum of Understanding has been erroneously omitted, it was, in fact, executed by the parties on 16th February, 2016.

The application as well as the aforesaid MOU has been duly signed by all the parties. The application is also accompanied by the affidavits of all the parties. Counsel for the parties identify the signatures of their respective clients on all these documents.

Counsel for respondent Nos. 2 to 6 states that with this settlement, her clients have no further claims against the petitioner, and that the dispute which is the subject matter of the impugned Award has been settled in full in terms of the MOU; and that the impugned Award dated 14th December, 2010, as well as the impugned order dated 3rd July, 2014 passed in Execution Petition No. 116/3M/12, be disposed off in terms of the settlement.

Respondents 2 to 6 are also present in person. They are identified by their counsel. They are also identified by counsel for the petitioner. At the same time, they have also produced their identity cards and / or the gate-passes issued by the Registry of this Court.

Counsel for the petitioner has handed over five demand drafts for Rs.35,000/- each to the said respondents in Court today in terms of the settlement. Particular of the demand drafts are as follows;

S.No.	DD No.	Dated	Amount (Rs.)	drawn on	In favour of
1.	829640	19.2.2016	35,000/-	Allahabad Bank	Zahida
2.	829641	19.2.2016	35,000/-	Allahabad Bank	Asha Devi
3.	829642	19.2.2016	35,000/-	Allahabad Bank	Mohan Singh
4.	229974	19.2.2016	35,000/-	Punjab National Bank	Bhagwati Devi
5.	229975	19.2.2016	35,000/-	Punjab National Bank	Prem Pal

Respondents state that with the receipt of these amounts, they have no further claims against the petitioner, and that they shall duly withdraw all pending proceedings, including Execution Petition No.116/3M/12 from the Evening Court at Patiala House Court, New Delhi, as well as their claim petition pending before the Labour Court, Karkardooma Court, Delhi. The statement of respondents is accepted by this Court, and they shall remain bound by the same.

Under the circumstances, and as prayed, CM Appln. No.7722/2016 is allowed. The impugned order dated 14.12.2010 and the order dated 03.07.2014 passed by Sh. Gurmukh Singh, designated Authority under the Delhi Shops and Establishment Act, 1954, in Execution Petition No.116/3M/12, are both set aside; and the writ petition along with CM Appln. No.2209/2015 stand disposed off in terms of the aforesaid settlement. All Interim orders stand vacated.

The next date of 26.07.2016 stands cancelled.

SUDERSHAN KUMAR MISRA, J

MARCH 02, 2016

AK/dr