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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) No.1679/2006, IA No.9740/2006 (under Order XXXIX Rules 1&2 CPC), IA No.1843/2007 (under Order XXXIX Rule-4 of the CPC) and IA No.4889/2016 (under Order VI Rule 17 CPC) and CC No.23/2009.

XEROX CORPORATION & ANR. Plaintiffs
Through: Mr. Prithvi Singh and Mr. Utkarsh Joshi, Advs.

versus

D V ELANGO VAN & ANR. Defendants
Through: Ms. Suhasini Raina and Mr. Ashwin Kumar, Advs.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW
ORDER
% **20.12.2016**

IA No.15969/2016 (of the parties under Order XXIII Rule 3 CPC).

1. The counsel for the plaintiffs and the counsel for both the defendants are permitted to hand over the compromise application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (CPC) in Court and the same is taken on record and be got numbered.
2. The counsel for the plaintiffs and the counsel for both the defendants state that the plaintiffs and the defendants have compromised all the disputes subject matter of this suit and otherwise on the terms contained in the compromise application and that the compromise application is signed by the defendant no.1 for himself and as well as the sole proprietor of defendant no.2 Dolphin Xerox (whose name in terms of compromise has been changed to "Dolphin Copying Centre") and by the constituted attorney of the plaintiffs and is accompanied by their affidavits. The application is also

stated to be signed by the Advocates of the parties and is supported by the Advocates appearing today. The counsels seek decree in terms of the compromise.

3. I have perused the terms of settlement as contained in the application and find the same to be lawful.

4. The application is allowed.

5. The undertakings given by the defendant no.1 and as recorded in the application supported by affidavit are accepted and the defendant no.1 is ordered to be bound thereby.

6. A decree is passed in favour of the plaintiffs and against the defendants in terms of prayer paragraph 27 (i) & (ii) of the plaint and the compromise application which shall form part of the decree sheet, leaving the parties to bear their own costs.

7. Decree sheet be prepared.

8. Counter Claim No.23/2009 is dismissed in terms of above.

Dasti.

RAJIV SAHAI ENDLAW, J

DECEMBER 20, 2016

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