

\$~24

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

+ **CS(COMM) 497/2016**

PEPSICO, INC & ANR Plaintiffs

Through: Mr. Kunal Mimani, Advocate.

versus

M/S RIZWAN FOOD CORN POPS & FRYUMS & ANR

..... Defendants

Through: Mr. Saurabh Gupta and Mr. Gagan
Gupta, Advocates.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

%

20.05.2016

I.A. No. 6447/2016 and CS(COMM) 497/2016

1. This is a joint application moved under Order 23 Rule 3 CPC. The application is signed by the parties and their counsel. The application is also supported by affidavits of the parties.

2. It is prayed that the suit be decreed in terms of the compromise. Accordingly, the suit is disposed of by drawing up a decree as per the terms as stated in the present application.

3. Counsel for the defendants has handed over to counsel for the plaintiffs a cheque of Rs.20,000/- drawn on ICICI Bank, Lajpat Nagar Branch, bearing No. 139573 dated 10.5.2016 in terms of the compromise terms.

CS(COMM) 497/2016

page 1 of 2

4. The application is allowed and the suit is accordingly disposed of.

5. Since the suit is withdrawn before recording of evidence, plaintiffs will be entitled to refund of 50% of the Court fee as per Section 16-A of the Court-Fees Act, 1870 (as applicable to Delhi) and the Registry will issue necessary certificate of 50% of the Court Fees in favour of plaintiff No.2.

VALMIKI J. MEHTA, J

MAY 20, 2016

AK