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

+ **CS(COMM) 544/2016**

R H AGRO OVERSEAS PVT LTD

..... Petitioner

Through: Ms. Priya Adlakha and Mr. Daljeet
Dabas, Advocates

versus

MAHAJAN FOODS & ORS

..... Respondent

Through: Ms. Kartika Sharma and Nikita
Pandey, Advocates

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

01.06.2016

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I.A. No.7224/2016

This application has been jointly moved by the plaintiff and defendant nos.1 and 3 to 6 under Order 23 Rule 3 CPC to record their settlement. The application is signed by the representatives of the parties and their counsels. The same is also supported by the affidavit of Mr. Rajesh Rana, Manager (Operations) of the plaintiff and Mr. Amrit Lal Jain (defendant no.5), the director of defendant no.6 and on behalf of the other defendants.

The terms of the settlement appear to be fair, just and reasonable and I see no impediment in accepting the same. Accordingly, the suit is disposed of as settled in terms of the settlement qua the plaintiff and defendant nos.1 and 3 to 6, which shall continue to bind the parties.

I.A. No.7225/2016

This application has been jointly moved by the plaintiff and defendant no.7 under Order 23 Rule 3 CPC to record their settlement. The application is signed by the representatives of the parties and their counsels. The same is also supported by the affidavit of Mr. Rajesh Rana, Manager (Operations) of the plaintiff and Mr. Manoj Kumar, defendant no.7/ the authorised representative.

The terms of the settlement appear to be fair, just and reasonable and I see no impediment in accepting the same. Accordingly, the suit is disposed of as settled in terms of the settlement qua the plaintiff and defendant no.7, which shall continue to bind the parties.

I.A. No./2016 (to be registered & numbered)

This application has been jointly moved by the plaintiff and defendant no.2 under Order 23 Rule 3 CPC to record their settlement. The application is signed by the representatives of the parties and their counsels. The same is also supported by the affidavit of Mr. Rajesh Rana, Manager (Operations) of the plaintiff and Mr. Balkishan, the authorised representative of defendant no.2.

The terms of the settlement appear to be fair, just and reasonable and I see no impediment in accepting the same. Accordingly, the suit is disposed of as settled in terms of the settlement qua the plaintiff and defendant no.2, which shall continue to bind the parties.

I.A. No.7226/2016

This application has been moved on behalf of defendant no.1 for release of the goods to the defendant which were delivered on superdari to the defendant after sealing by the local commissioner. Since the parties have

arrived at a settlement, the plaintiff does not oppose the application. Accordingly, the same is allowed. The goods lying with the defendant no.1 on superdari be de-sealed and put to use.

Since the suit has been settled prior to commencement of trial, the plaintiff shall be entitled to refund of 50% of the court fee.

Dasti.

VIPIN SANGHI, J

JUNE 01, 2016

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