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

+ **CS(OS) 1851/2015**

GOOD LUCK STEEL TUBES LIMITED

..... Plaintiff

Through: Mr. Ashish Pratap Singh, Advocate

versus

INDICO MOTORS(P) LIMITED & OTHERS

..... Defendant

Through: Mr. Animesh Rastogi and Ms. Neha
Rastogi, Advocates

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

15.01.2016

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I.A. No.692/2016 (u/o 23 r 3)

This application is jointly moved by the parties under Order 23 Rule 3 CPC to record their settlement. The application is signed by the parties and their respective counsels and is also supported by the affidavit of Mr. Abhishek Agarwal, the authorised representative/ company secretary of the plaintiff company and the affidavit of Mr. Brajesh Kumar Mishra, the authorised representative of the defendants.

The settlement has been arrived at in the mediation conducted by the Delhi High Court Mediation & Conciliation Centre. Copy of the settlement agreement dated 04.12.2015 entered into between the parties has been filed along with the application.

The settlement arrived at between the parties appears to be fair, just and reasonable. I, therefore, see no impediment in accepting the same. Accordingly, the suit is decreed in terms of the settlement.

In terms of the settlement, 16 cheques have been delivered to the plaintiff under the settlement – out of which one is a blank cheque in terms of clause 6 read with clause 9 of the settlement agreement. The defendant shall remain bound by the said settlement and shall ensure the payment of the amounts due under the cheque on the due dates. In case the payments are made by the defendant in terms of the settlement, the post dated cheques shall be returned to the defendant by the plaintiff.

The suit stands decreed as settled in terms of the settlement.

I.A. No.693/2016

By this application, the plaintiff seeks refund of the court fee since the matter has been settled in mediation. The application is allowed and the plaintiff shall be entitled to refund of the entire court fees.

VIPIN SANGHI, J

JANUARY 15, 2016

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