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

+ **CO.PET. 26/2015**

M/S STAINLESS STEEL IMPEX Petitioner
Through: Ms. Ankita Jain, Advocate with Mr.
Abhishek Mehta, proprietor

versus

M/S FERNAS CONSTRUCTION INDIA
PVT. LTD. Respondent
Through: Mr. Chetan Sharma, Sr. Advocate with
Mr. Jiwanpal Singh, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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27.01.2016

The learned counsel for the parties have placed before me a Joint Memo of Settlement (in short, JMOS). The same is taken on record. The Registry will scan and upload the same.

To be noted, the JMOS is not backed by an affidavit. However, the Mr. Abhishek Mehta, proprietor of the petitioner as well as Mr. Mazlum Dogan, Director (Finance) of the respondent is present in court.

The proprietor of the petitioner affirms what is recorded in the JMOS. Similarly, Mr. Dogan, the Director (finance) of the respondent affirms the terms of settlement recorded in the JMOS.

Mr. Mehta and Mr. Dogan affirm their signatures at points A and B respectively of the JMOS taken on record. The JMOS is signed by the counsel for the respective parties.

Mr. Mazlum Dogan, the Director (Finance) of the respondent shall

file an undertaking with this court by way of an affidavit within three days from today stating therein that the terms of the JMOS will be complied with. In case there is any breach of the terms of settlement arrived at between the parties herein, the petitioner will have liberty to take recourse to the clause 4 of the JMOS and other remedies that may be available to it in law. Liberty is also given to revive the petition.

The company petition and the pending applications are, accordingly, disposed of.

RAJIV SHAKDHER, J

JANUARY 27, 2016

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