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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 1639/2016, IA No.15750/2016 (u/O XXXIX R-1&2**
CPC) & IA No.15751/2016 (u/O XXVI R-9 CPC)
SOMANY CERAMICS LIMITED Plaintiff

Through: Mrs. Prathiba M. Singh, Sr. Adv. with
Mr. Ashutosh Kumar & Mr. Rukma
George, Advs.

Versus

ASHISH MEHTA & ANR Defendants

Through: Mr. Anshuj Dhingra & Mr. Gaurav
Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **22.12.2016**

1. This order is in continuation of the earlier orders dated 19th December, 2016 and 21st December, 2016.
2. The counsel for the two defendants states that the brochure of the defendants at page 10 of the plaintiff's documents and on basis whereof this suit is filed is no longer in use and circulation and in the new brochure published by the defendants the statements claiming which to be offending and disparaging this suit is filed do not exist and the defendants in future also do not intend to, in their brochure or other public material, make statements to which objection is taken by plaintiff.
3. It is further stated by the counsel for defendants that Mr. Yogesh Mendiratta, Company Secretary of defendant No.2 is present in Court and his undertaking to this effect may be recorded.
4. Statement of the Company Secretary of defendant No.2 Orient Bell Ltd. is recorded separately in which he has undertaken so.

5. The senior counsel for the plaintiff states that subject to the defendants being bound with the said statement and undertaking, the plaintiff will not press for the other reliefs claimed in the suit.
6. Accepting the undertaking aforesaid and binding the defendants thereto, the suit is decreed in terms of the statement and undertaking of the defendants.
7. Parties to bear their own cost.
8. Decree sheet be prepared after the court fees is deposited.
9. The senior counsel for the plaintiff states that court fees of Rs.1,97,604/- was deposited yesterday.
10. A certificate enabling the plaintiff to obtain refund of Rs.1,50,000/- out of the court fees paid be handed over to the counsel for the plaintiff.

RAJIV SAHAI ENDLAW, J

DECEMBER 22, 2016

‘gsr’..