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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS (OS) 2564/2015

KAMDHENU LIMITED

..... Plaintiff

Through: Mr. Amit Chanchal Jha, Advocate along
with Mr. Ayush Gupta, Manager Legal in person.

versus

**PRAGATI PRIMARY MILK PRODUCTS CO-OPERATIVE
LIMITED**

..... Defendant

Through: Mr. K.C. Nayak, Advocate along with
Mr. K.C. Sahu, Commercial Manager in person.

CORAM: JUSTICE S.MURALIDHAR

ORDER

08.09.2016

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IA No. 8585/2016 (changing the name of the Plaintiff)

1. For the reasons stated therein, this application is allowed. The changed name of the Plaintiff, M/s. Kamdhenu Limited, is taken on record. Amended memo of parties is taken on record.

2. The application is disposed of.

**CS (OS) 2564/2015 & IA Nos. 17835/2015 (u/O 39 R 1 & 2 CPC),
8330/2016 (u/O 39 R 2A CPC)**

3. It is stated that the matter has been settled between the parties. The Settlement Agreement ('SA') dated 7th September 2016 signed by the authorized signatory of the Plaintiff and the authorized signatory of the Defendant as well as of the sister concern, M/s. Pragati Milk Products Pvt. Limited has been placed on record.

4. The authorized signatories of both the parties are present in Court and they are identified by their respective counsel. They state that they have signed the SA and confirmed that the parties will abide by the SA dated 7th September 2016. They pray that the suit be decreed in terms of the SA.

5. The terms of settlement set out in the SA shall form part of the decree. Decree sheet be drawn up accordingly.

6. Since the suit has been settled prior to the framing of issues, the Plaintiff as well as the Defendant would be entitled to refund of their respective court fees paid on the plaint and the counter-claims under Section 16A of the Court Fees Act.

7. The Registry will now prepare, and issue to the Plaintiff and to the Defendant, within two weeks from today, certificates entitling the Plaintiff and Defendant to receive back from the Collector of Stamps the full amount of the court fees paid by the Plaintiff on the plaint.

8. The suit and the pending applications are disposed of in the above terms.

S.MURALIDHAR, J

SEPTEMBER 08, 2016

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