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

+ CS(OS) 3039/2015 & IAs No.21222/2015 (u/O 39 R-10 CPC),
24160/2015 (u/O 37 R-3(4) CPC) & 799/2016 (u/S 8 of Arbitration
Act)

LALA ANAND KUMAR SINHA & ANR Plaintiffs
Through: Mr. Sujoy Chatterjee, Adv.

Versus

ASSOTECH LTD AND ORS Defendants
Through: Mr. Jeemon Raju K., Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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29.07.2016

1. The parties in this suit for recovery of money and for delivery of TDS Certificates were referred to the Mediation Cell of this Court.
2. Mediation was successful with the efforts of Mr. Yudhvair Singh Chauhan, Advocate / Mediator and a Settlement Agreement dated 12th February, 2016 was signed by the plaintiffs and by the defendant No.3 for self and on behalf of the defendants No.1&2 M/s Assotech Limited and M/s Assotech Moonshine Urban Developers Limited.
3. The counsels for the plaintiffs and the defendants support the Settlement Agreement.
4. The counsel for the plaintiffs states that though the defendants have paid the monies in terms of the Settlement Agreement but have not handed over the documents mentioned in Clauses (c) & (d) of the Settlement Agreement.

5. The counsel for the defendants states that since the defendant No.1 has been ordered to be wound up and the Official Liquidator has taken over the assets of the defendant No.1 company, the documents could not be delivered till now and an application to the said effect has been filed before the Company Court and is pending.
6. Be that as it may, the same cannot be a reason for keeping the present suit pending.
7. The suit is decreed in terms of the Settlement Agreement dated 12th February, 2016 which shall form part of the decree sheet, leaving the parties to bear their own costs.
8. Decree sheet be drawn up.
9. 50% of the court fees paid on the suit be refunded to the plaintiffs and a Certificate to the said effect be issued by the Registry and be handed over to the counsel for the plaintiffs.

RAJIV SAHAI ENDLAW, J.

JULY 29, 2016

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