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

CS(COMM) 433/2016

OMAXE CONSTRUCTION LTD. Plaintiff

Through: Mr. Harish Kumar Gagr and Ms.
Puran Kumari, Advs.

Versus

HOTLINE ELECTRONICS LTD. Defendant

Through: Mr. Sudhir Makkar, Sr. Adv. with
Ms. Meenakshi Singh, Adv.

AND

+ CS(COMM) 441/2016

HOTLINE ELECTRONICS LTD. Plaintiff

Through: Mr. Sudhir Makkar, Sr. Adv. with
Ms. Meenakshi Singh, Adv.

Versus

OMAXE CONSTRUCTION LTD. Defendant

Through: Mr. Harish Kumar Gagr and Ms.
Puran Kumari, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **09.01.2017**

IA No.267/2017 in CS(COMM) 433/2016 (of parties u/O 23 R-3 CPC)

1. Though only CS(COMM) No.433/2016 (CS(OS) No.188/2004) is listed today on IA No.267/2017 under Order XXIII Rule 3 of Code of Civil Procedure, 1908 being filed therein but on the statement of the counsels to CS(COMM) 433/2016 & CS(COMM) 441/2016

the effect that this suit as well as CS(COMM) 441/2016 (CS(OS) No.2113/2003) are connected and both were being tried together and both were referred to the Mediation Cell of this Court and that the settlement arrived at between the parties is in both the suits, CS(COMM) 441/2016 has also been got listed and the file thereof requisitioned.

2. The counsels state that though a settlement as contained in the Settlement Agreement dated 27th October, 2016 was arrived at between the parties before the Mediation Cell of this Court with the efforts of Mr. Puneet Taneja, Advocate/Mediator and the settlement but in supersession thereof both the parties withdraw their respective suits in view of Hotline Electronics Ltd. having already paid a sum of Rs.10 lakhs to Omaxe Construction Ltd. in full and final settlement of all claims of each of the parties under both the suits.

3. It is also stated that the name of Omaxe Construction Ltd. has since been changed to Omaxe Ltd.

4. In view of the aforesaid, both the suits are dismissed as withdrawn as satisfied, leaving the parties to bear their own costs.

5. Decree sheet be drawn up.

6. The date of 13th January, 2017 is cancelled.

RAJIV SAHAI ENDLAW, J.

JANUARY 09, 2017

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