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

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CS(OS) 2239/2013

VIVEK DAWAR

..... Plaintiff

Through: Mr. V. Hari Pillai, Advocate with  
Mr. Manish Kr. Soryal, Advocate.

versus

ARJUN KUMAR DAWAR & ANR

..... Defendants

Through: Mr. Aditya Chhibber, Advocate with  
Ms. Sonal Sinha, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**

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**22.12.2017**

**I.A. 15606/2017 in CS(OS) 2239/2013**

Present joint application has been filed under Order 23 Rule 3 read with Section 151 CPC. The same is duly signed by learned counsel for the plaintiff and defendants as well as by the parties to the litigation.

Present application is also supported by affidavits of the plaintiff and the defendants.

Learned counsel for the parties state that the matter has been compromised in accordance with the terms mentioned in the Settlement Agreement dated 18<sup>th</sup> December, 2017.

Both the learned counsel further assure and undertake to this Court that the parties shall comply with the Settlement terms mentioned in the

aforesaid Settlement Agreement which forms part of the Settlement application being I.A. 15606/2017.

Learned counsel for plaintiff assures and undertakes to this Court that the plaintiff shall write letters for release/de-freezing of the FDRs and bank accounts of M/s. Devarsons Stylish Printing Press in accordance with para 8 of the Memorandum of Settlement dated 18<sup>th</sup> December, 2017.

Learned counsel for defendants states that he has instructions to withdraw the Test.Cas. 8/2015.

The aforesaid statements, assurances and undertakings as well as undertakings given by learned counsel for the parties are accepted by this Court and parties are held bound by the same.

This Court has also perused the compromise application and Settlement Agreement and is of the opinion that they are lawful.

Consequently, the suit is decreed in accordance with the I.A. 15606/2017 filed under Order 23 Rule 3 CPC and Settlement Agreement dated 18<sup>th</sup> December, 2017, copies of which are marked as Ex.C-1 (Colly). Registry is directed to prepare a decree sheet accordingly. The Test.Cas.8/2015 is also dismissed as withdrawn.

Registry is also directed to issue to the plaintiff a certificate authorizing him to receive back from the Collector half amount of the Court fee paid by him in the present suit.

With the aforesaid observations, present application is allowed and the suit and all pending applications stand disposed of. The interim order dated 18<sup>th</sup> November, 2013 stands vacated. The next date of hearing i.e. 03<sup>rd</sup> January, 2018 stands cancelled.

A copy of this order is directed be placed in Test.Cas.8/2015.

**MANMOHAN, J**

**DECEMBER 22, 2017**

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