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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **CS(COMM) 287/2017**

**MIDDLEBY CELFROST INNOVATIONS
PRIVATE LIMITED & ANR Plaintiffs**
Through **Mr. Nirupam Lodha with
Mr. Shwetank Tripathi, Advocates**

versus

MR. RAHUL ANAND & ORS Defendants
Through **Mr. Manu Yadav, Advocate**

**CORAM:
HON'BLE MR. JUSTICE MANMOHAN**

**ORDER
05.09.2017**

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I.A. 10156/2017

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 plaintiffs and defendants as well as by the parties to the litigation.

Present application is also supported by affidavits of authorized representative of the plaintiffs and the defendants.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the Settlement Agreement dated 28th August, 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.

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 Settlement Agreement dated 28th August, 2017 a copy of which is marked as Ex. C-1. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to an authorised representative of the plaintiffs a certificate authorizing him/her to receive back from the Collector half amount of the Court fee paid by them 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 20th April, 2017 stand vacated.

The next date of hearings i.e. 15th September, 2017 and 21st September, 2017 stand cancelled.

MANMOHAN, J

SEPTEMBER 05, 2017

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