

\$~

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

+ CS(COMM) 464/2017 & I.A. 7884/2017, 11569-11570/2017

TRIUMPHANT INSTITUTE OF MANAGEMENT
EDUCATION PVT. LTD. Plaintiff

Through Mr. Bitika Sharma with Ms. Ruchika
Wadhawan, Advocates

versus

TIMESIAS & ANR Defendants

Through Mr. Aditya Gupta, Advocate for D-1
and 2.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
27.10.2017

%

I.A. 12399/2017

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 plaintiff and defendant as well as by the parties to the litigation.

Present application is also supported by affidavits of authorized representative of the plaintiff and the defendant no. 2 who is also the Sole Proprietor of defendant no. 1.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the Settlement Application dated being I.A. 12399/2017.

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 application.

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 Application and is of the opinion that the same is lawful.

Consequently, the suit is decreed in accordance with the Prayer (i) to (iv) of the plaint and the Settlement Application being I.A. 12399/2017, 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 plaintiff a certificate authorizing him/her to receive back from the Collector half amount of the Court fee paid by it 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 18th July, 2017 stands vacated.

The next dates of hearing i.e. 17th November, 2017 and 28th November, 2017 stands cancelled.

MANMOHAN, J

OCTOBER 27, 2017

rn