

\$~OS-11

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

+ **CS(OS) 2130/2015**

LE CHAMP (SEA) PTE LTD Plaintiff

Through: Mr. Sanjeev Sahay and Mr. Aditya Sharma,
Advocates.

versus

DELHI CONTROL DEVICES PRIVATE LTD Defendant

Through: Mr. Arjun Sanjay, Advocate.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

02.05.2017

%

I.A. 5375/2017

The present joint application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908, filed on behalf of the parties prays as follows:-

- “a) Record the statement of the parties and take on record the Memorandum of Understanding dated 27.04.2017 (Annexure A); and Decree the suit in terms of the Memorandum of Understanding dated 27.04.2017.
- b) Pass any further orders, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

The present application is supported by affidavits of Mr. Venugopal, Authorized Representative of the plaintiff-company, as well as, Mr. Ashish Gupta, Director of the respondent-company. The application is also signed by counsel appearing on behalf of both the parties as well.

Learned counsel appearing on behalf of the parties, state in unison, that the underlying dispute that led to the institution of the present company petition has been amicably settled by and between the parties by way of an out of court settlement agreement by way of a Memorandum of Understanding dated

27.04.2017. The terms and conditions of the settlement are enshrined in the Memorandum of Understanding dated 27.04.2017. A copy of the said Memorandum of Understanding dated 27.04.2017 has been annexed to the present application as Annexure-A and is exhibited as 'Ex. C-1'.

I have perused the terms and conditions contained in the said Memorandum of Understanding dated 27.04.2017 entered into between the parties. The same is lawful and is taken on record. The parties shall abide by the terms and conditions of the said Memorandum of Understanding dated 27.04.2017, without demur.

With the above directions, the application is allowed and disposed of accordingly.

CS(OS) 2130/2015

In view of the out of court settlement arrived at between the parties, as recorded in the Memorandum of Understanding dated 01.05.2017, the present suit is decreed in terms thereof.

The Registry is directed to refund the court fee to the plaintiff, in accordance with law.

SIDDHARTH MRIDUL, J

MAY 02, 2017
dn