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

+ **CO.PET. 556/2015**

NIMBUS HARBOR FACILITIES

MANAGMENT PVT. LTD

..... Petitioner

Through: Mr. Pankaj Bhagat, Advocate

versus

ROCKLAND HOSPITALS LIMITED

..... Respondent

Through: Mr. Sarfaraz Khan, Advocate

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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21.02.2017

CO.APPL.291/2017

The present application under Section 151 of the Code of Civil Procedure, 1908, filed on behalf of the applicant/petitioner prays as follows:-

- a. That the stipulations as contained in the settlement note dated 06.02.2017 shall be binding on the parties, and
- b. Permit the petitioner to withdraw the present petition with liberty to me fresh petition, if the need so arises, and
- c. Pass such other order as this Hon'ble court deems fit and proper in the facts and circumstances of the present case.”

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 and the terms and conditions of the settlement are enshrined in the Settlement Agreement dated 06.02.2017 and the same is annexed as Annexure-‘A’ to the present application.

The Settlement Agreement dated 06.02.2017 entered into between the parties is lawful and the same is hereby accepted and taken on record.

The parties shall abide by the terms and conditions of the said Settlement Agreement dated 06.02.2017 without demur.

The application is disposed of accordingly.

CO.PET.556/2015 & CO.APPL.2235/2015

In view of the settlement arrived at between the parties, as aforesaid, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present company petition.

Leave granted.

The present company petition is dismissed as withdrawn and disposed of accordingly. Pending application seeking appointment of Provisional Liquidator also stands disposed of.

SIDDHARTH MRIDUL, J

FEBRUARY 21, 2017

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