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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 67/2016, IA Nos.7829/2017, 5420/2018**
HARVINDER SINGH BHASIN & ORS

..... Plaintiffs

Through Mr.Ashish Kumar and Ms.Anubha
Dhulia, Advs.

versus

M/S JAMMU & KASHMIR BANK LIMITED

..... Defendant

Through Ms.Kanika Agnihotri, Adv.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **06.09.2018**

IA No.5421/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CS(OS) 67/2016, IA Nos.7829/2017, 5420/2018

The learned counsel for the plaintiff says since the matter has been amicably settled between the parties so the plaintiffs intend to withdraw the suit. As per the settlement so recorded in the letter dated 5th September, 2018 of the Jammu and Kashmir Bank, the bank shall be making payment of ₹ 4,19,46,250/- as per the annexure attached, of course, after deducting the TDS at the applicable rate. As agreed, the business operations shall continue from the said premises for a period of four months w.e.f. 27.07.2018 at the monthly rate of ₹ 14,00,700/- plus GST.

Learned counsel for the defendant says the bank shall be paying

an interest @ 10% per annum on the evaluated amount of rent and 50% of the applicable service tax of GST at the applicable rate and submits the settled amount included in the amount ₹ 4,19,46,250/- and this amount shall be paid by the defendant within two days from today.

In view of the submissions so made and in view of the settlement so arrived at, learned counsel for the plaintiffs seeks liberty to unconditionally withdraw the suit.

In view of the above, the suit stands dismissed as withdrawn.

The settlement be filed on record during the course of the day. The part of the court fee, be refunded, as per law.

YOGESH KHANNA, J

SEPTEMBER 06, 2018
VLD