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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **CS(COMM) 130/2018**

M/S KIWI FOODS(INDIA) PVT LTD Plaintiff
Through Mr. Vinay Kumar Shukla with Mr.
Kapil Kumar Giri, Mr. Ajay Amitabh
Suman and Mr. Pankaj Kumar, Proxy
Counsel for Mr. S.K. Bansal,
Advocate

versus

M/S DUGAR SPICES&EATABLES PVT LTD Defendant
Through Mr. Umesh Mishra, Advocate

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
18.12.2018

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I.A. 17426/2018

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 Director and authorized representative of the plaintiff and the defendant respectively.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the settlement application being I.A. 17426/2018.

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 is of the opinion that the same is lawful.

Consequently, the suit is decreed in accordance with paragraph 26(i) of the plaint and in terms of settlement application being I.A. 17426/2018, which is marked as Ex. C-1. Registry is directed to prepare a decree sheet accordingly.

With the aforesaid observations, present application is allowed and the suit and all pending applications stand disposed of. The interim order dated 24th July, 2013 stands modified. The next date of hearing i.e. 8th January, 2019 stands cancelled.

MANMOHAN, J

DECEMBER 18, 2018

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