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

+ **CS(COMM) 514/2018 & I.A.No.2228/2018**

J K TYRES & INDUSTRIES LIMITED Plaintiff

Through Mr.Nakul Jain with Mr.S.Misra,
Advocates.

versus

PODDAR TYRES LIMITED Defendant

Through Mr.G.Nataraj, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **01.06.2018**

I.A.No.7527/2018

Present joint application has been filed under Order XXIII 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 the affidavits of constituted attorneys of the plaintiff and the defendant.

Both the learned counsel state that the matter has been compromised in accordance with the Memorandum of Settlement dated 24th May, 2018.

Today learned counsel for the defendant has handed over a cheque bearing no.439381 dated 23rd May, 2018 drawn on Canara Bank for the sum of Rs.2,50,000/- to learned counsel for the plaintiff

in full and final settlement. Learned counsel for the defendant states that the said cheque is good for payment.

Both the learned counsel further assure and undertake to this Court that the parties shall comply with the terms mentioned in the aforesaid Memorandum of Settlement.

The aforesaid statements, assurances 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 Memorandum of Settlement and is of the opinion that they are lawful.

Consequently, the suit is decreed in accordance with the Memorandum of Settlement dated 24th May, 2018, a copy of which is marked as Ex. C-1. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to the plaintiff a certificate authorizing it to receive back from the Collector the full 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 application stand disposed of. The interim order dated 16th February, 2018 stands modified.

MANMOHAN, J

JUNE 01, 2018
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