

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(COMM) 678/2018, I.As. 24008/2014, 15466/2016, 3998/2017,
7881/2017 & 1519/2018

versus

CORAM:
JUSTICE PRATHIBA M. SINGH

CS(COMM) 678/2018

On 23rd August, 2016, it was recorded that none had appeared for Defendant No.4 despite service of summons by speed post on 11th December, 2014. Accordingly, Defendant No.4 is proceeded *ex-parte*.

I.A./2018 (to be numbered)

This is an application under Order XXIII Rule 3 CPC. The Registry is directed to number the said application. Parties submit that the disputes between them have been settled in terms of paragraph 1 to 17 of the application. The application is accompanied by the affidavits of the Plaintiff and Defendant Nos.1 to 5 except Defendant No.4. The settlement terms have been perused by the Court and the same are lawful.

A cheque for the sum of Rs.2 lakhs as per para 6(c) has been handed over by the Defendants to the Plaintiff. The same is yet to be presented. The Defendant undertakes that the said cheque shall be honoured. It is directed that all the parties shall be bound by the terms of the settlement contained in the application.

The suit is decreed in terms of the settlement terms contained in the application. Insofar as Defendant Nos.1 to 3 and 5 are concerned, decree sheet shall be drawn as per the settlement terms. Insofar as Defendant No.4 is concerned, a decree is passed in terms of paragraph (a) of the prayer clause. No other reliefs are pressed. Decree sheet be drawn. All pending IAs are disposed of.

PRATHIBA M. SINGH, J.

SEPTEMBER 24, 2018

Rekha