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

+ **CS(OS) 497/2015 & I.A.Nos.3817/2015, 4385/2015**

VEILING LTD & ORS Plaintiffs

Through Mr.Karan Singh Chandhiok,
Advocate.

versus

KINGFISHER AIRLINES LTD & ORS Defendants

Through Mr.Nunawwar Naseem with
Ms.Sonali Khanna, Advocates for D-
2 & 3.
Mr.Ankit Rajgarhia with Ms.Riya,
Advocates for D-4 to 8.
Mr.Subhadeep, Advocate for D-9 to
11.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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30.11.2018

At the outset, learned counsel for the plaintiffs wishes to delete defendant nos.10 and 11.

Keeping in view the said prayer, defendant nos.10 and 11 are deleted from the array of parties. Amended memo of parties be filed on or before 03rd December, 2018.

I.A.No.16427/2018

Present application has been filed under Order XXIII Rule 1 CPC for withdrawal of the present suit qua defendant nos.1 to 3.

Consequently, the present suit is dismissed as withdrawn qua defendant nos. 1 to 3.

Accordingly, the application stands disposed of.

I.A.No.16428/2018

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 plaintiffs and defendant nos.4 to 8 as well as by the said parties.

Present application is also supported by the affidavits of authorized representative/constituted attorney of the plaintiffs and defendant nos.4 to 8.

Both the learned counsel state that the matter has been compromised in accordance with paragraph (4) of the present application.

Both the learned counsel state that the compromise arrived at between the parties has already been implemented.

The aforesaid statements, assurances and 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 qua defendant nos.4 to 8 in accordance with paragraph (4) of the present application, a copy of 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 pending applications stand disposed of qua defendant nos.4 to 8.

I.A.No.16426/2018

Present joint application has been filed Order XXIII Rule 3 read with Section 151 CPC. The same is duly signed by learned counsel for the plaintiffs and defendant no.9 as well as by the said parties.

Present application is also supported by the affidavits of authorized representative/constituted attorney of the plaintiffs and defendant no.9.

Both the learned counsel state that the matter has been compromised in accordance with paragraph (3) of the present application.

Both the learned counsel further assure and undertake to this Court that the parties shall comply with the terms mentioned in the present application.

The aforesaid statements, assurances and 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 qua defendant no.9 in accordance with paragraph (3) of the present application, a copy of which is marked as Ex. C-2. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to an authorised representative of the plaintiffs a certificate authorizing him/her to receive back from the Collector the half amount of the Court fee paid

by them in the present suit.

Learned counsel for the plaintiffs is granted leave to approach the Reserve Bank of India in accordance with law for remittance of court fee refund.

With the aforesaid observations, present application is allowed and the suit and pending applications stand disposed of qua defendant no.9.

MANMOHAN, J

NOVEMBER 30, 2018
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