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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 333/2016**
SAURABH BUILDCON PVT LTD Plaintiff
Through: Mr. Rakesh Malhotra, Adv.
versus
K. K. WADHWA (DECEASED) THROUGH LRS Defendant
Through: Counsel for the defendant
(appearance not given).

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **30.11.2018**

1. This order is in continuation of the earlier order dated 13th November, 2018.
2. The counsel for the plaintiff states that Mr. Ashok Sardana, Managing Director of the plaintiff and Mr. Samir Wadhwa son of Mr. Krishan Kumar Wadhwa are present in the Court.
3. The person who is identified as Samir Wadhwa has handed over in the Court his Aadhaar Card in proof of his identity and photocopy thereof is kept on record and original returned.
4. It is stated that a Memorandum of Settlement dated 18th July, 2018 has been signed by Mr. Ashok Sardana on behalf the plaintiff Saurabh Buildcon Pvt. Ltd. and by Mr. Samir Wadhwa in his capacity as representing the estate of defendant Mr. Krishan Kumar Wadhwa who is stated to have died on 20th June, 2017.
5. The counsel for the plaintiff states that the plaintiff, in view of the compromise arrived at in Memorandum of Settlement, withdraws the present suit.

6. The counsel for the plaintiff has also handed over in the Court another copy of the Memorandum of Settlement with other documents appended thereto, including a Settlement dated 23rd July, 2018 arrived at before the Mediation Centre, Tis Hazari Court, Delhi. The said documents are taken on record.
7. There is no reason to disbelieve the counsel.
8. The suit is dismissed as withdrawn leaving the parties to bear their own costs.
9. A certificate entitling the plaintiff to refund of court fees paid on the plaint less Rs.15,000/- be issued and handed over to the counsel for the plaintiff.

RAJIV SAHAI ENDLAW, J

NOVEMBER 30, 2018
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