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

+ **CS(OS) 320/2016**

INDUSIND BANK LTD.

..... Plaintiff

Through: Mr. Arpit Maheshwari, Advocate.

versus

BHARAT B. LUTHRA & ORS.

..... Defendants

Through: Mr. Ashok Luthra, SPA holder for
defendants.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **08.01.2018**

I.A. No.194/2018 (under Order 23 Rule 3 CPC) & CS(OS) No.320/2016

1. This application (I.A. No.194/2018) is allowed and the suit is disposed of in terms of the written settlement agreement entered into between the parties before the Delhi High Court Mediation & Conciliation Centre on 1.12.2017. This settlement agreement will form a decree between the parties.

2. Suit is accordingly disposed of by drawing a decree in terms of the settlement agreement dated 1.12.2017 leaving the parties to bear their own costs. As agreed, interim orders passed in the suit dated 20.6.2016 and 18.4.2017 will stand vacated.

3. Since the suit is withdrawn by settlement before commencement of evidence, plaintiff will be entitled to refund of 50% of court fee in terms of Section 16-A of Court-fees Act, 1870 (as applicable to Delhi). Registry will issue the necessary certificate in this regard in favour of the plaintiff.

4. Next date of 25.1.2018 will stand cancelled.

I.A. Nos.7683/2016 (under Order 38 Rule 5 read with Section 151 CPC), 9558/2016 (under Order 39 Rule 4 CPC), 9736/2016 (under Order 1 Rule 10 CPC), 6683/2017 (under Section 151 CPC) & 6687/2017 (under Order 7 Rule 11 CPC)

5. Since the suit is disposed of, all the pending applications also stand disposed of accordingly.

VALMIKI J. MEHTA, J

JANUARY 08, 2018

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