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

+ CS(OS) 1431/2015

MALLCOM(INDIA) LIMITED & ANOTHER Plaintiffs

Through Ms.Parul Singh, Advocate.

versus

AMIT GUPTA & ANOTHER Defendants

Through Mr.Manoj Arora, Advocate for D-3.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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09.01.2018

I.A.No.321/2018

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 defendants as well as by the parties to the litigation. Present application is also supported by the affidavits of the constituted attorney of the plaintiffs, defendant no.1 who is the proprietor of defendant no.2 as well as defendant no.3.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the Settlement Agreement dated 11th September, 2017.

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

The aforesaid statements, assurances and undertakings 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 present compromise application as well as the Settlement Agreement and is of the opinion that they are lawful.

Consequently, the suit is decreed in accordance with the Settlement Agreement dated 11th September, 2017 as well as the present compromise application, copies of which are marked as Ex. C-1 (colly). Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to the plaintiffs a certificate authorizing them to receive back from the Collector the full amount of the court fee paid by them in the present case.

With the aforesaid observations, present application is allowed and the suit stands disposed of.

The interim order dated 18th May, 2015 stands vacated.

The next date of hearing i.e. 24th January, 2018 stands cancelled.

MANMOHAN, J

JANUARY 09, 2018
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