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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 688/2017

HAVELLS INDIA LIMITED

..... Plaintiff

Through: Mr. Pravin Anand, Advocate with
Ms. Prachi Agarwal, Advocate.

versus

HARSHADA D. MHATRE & ORS.

..... Defendants

Through: Mr. H.P. Singh, Advocate with
Mr. Narrup singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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29.01.2018

I.A. 1287/2018 in CS(COMM) 687/2017

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 plaintiff and the defendants as well as by the parties to the litigation.

Present application is also supported by the affidavits of authorized representative of the plaintiff and the defendants.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the Settlement application being I.A. 1287/2018. They, however, state that the plaintiff is waiving off its right to damages of Rs.8 lacs.

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 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 present Settlement application and is of the opinion that the same is lawful.

Consequently, the suit is decreed in accordance with paragraph 64 (i) of the plaint as well as in terms of the present Settlement application being I.A. 1287/2018, a copy of which is marked as Ex. C-1 except to the extent it awards damages. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to the plaintiff a certificate authorizing it to receive back from the Collector the full amount of the Court fee paid by it in the present suit.

With the aforesaid observations, present application is allowed and the suit and all pending applications stand disposed of. The interim order dated 12th October, 2017 stands modified in terms of the decree.

The next dates of hearing i.e. 02nd February 2018 and 13th February, 2018 stand cancelled.

MANMOHAN, J

JANUARY 29, 2018

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