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

+ CS(OS) 3063/2015 & I.As. 21360/2015, 21884/2015, 24899/2015, 25357/2015, 5469/2016, 9238/2016, 9240/2016, 9242/2016, 11637/2016, 15832/2016, 16284/2016, CCP(O) 9/2017, I.A. 1600/2017 & 2890/2017

KASHYAP COMMERCIAL PVT LTD Plaintiff

Through Mr.P.S.Bindra with Mr.Anand
M.Mishra, Advocates.

versus

S S CON-BUILD PVT LTD Defendant

Through Mr.Aditya Singh with Ms.Mehak
Nakra, Advocates for D-1.
Mr.Arunav Patnaik with Mr.Karun
Pahwa, Advocates for D-2.
Mr.Madhavi Khare with Mr.Shaurya
Kuthiala, Advocates for D-3.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **31.05.2018**

I.A.No.7794/2018

Exemption allowed, subject to all just exceptions.

Accordingly, the application stands disposed of.

I.A.No.7793/2018

Present joint compromise application has been filed under Order XXIII Rule 3 read with Section 151 CPC. At the outset, learned counsel for the parties state that they do not wish to press the prayer (vi) of the present application. They state that M/s Chronicle

Clothing Private Limited would seek refund of the stamp duty affixed on the registered agreement to sell dated 06th January, 2017 from the Collector of Stamps/appropriate authority.

The statements made by learned counsel for the parties are accepted by this Court and the parties are held bound by the same.

It is pertinent to mention that the present application is duly signed by the learned counsel for the plaintiff and the defendant as well as by the parties to the litigation. Present application is also supported by the affidavits of the authorized representatives/directors of the plaintiff and the defendant.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the Settlement Agreement dated 27th May, 2018.

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

The aforesaid statements, assurances 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 and the Settlement Agreement and is of the opinion that they are lawful.

Consequently, the suit is decreed in accordance with the Settlement Agreement dated 27th May, 2018 as well as the present compromise application excluding prayer (vi) thereof, copies of which are marked as Ex. C-1 (colly.). Registry is directed to prepare

a decree sheet accordingly.

Registry of this Court 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 pending applications stand disposed of.

The interim orders dated 08th October, 2015 and 18th December, 2015 stand vacated.

MANMOHAN, J

MAY 31, 2018

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