$~27

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

\+ O.M.P.(I) (COMM.) 345/2019, I.A. 14519/2019

ALUPLEX INDIA PVRIVATE LIMITED

..... Petitioner

Through: Mr. Mayank Mishra and Mr. Raghav Sabharwal, Advs.

versus

MIKADO REALTORS PRIVATE LIMITED & ANR.

..... Respondents

Through: Ms. Smarika Singh and Mr. Saiful R. Faridi, Advs. for R-1
Mr. Sanjeev Sagar, SC with Ms. Nazia Parveen, Adv. for UBI

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

O R D E R

% 18.10.2019

I.A. 14519/2019

This is an application filed by the petitioner under Order 23 Rule 3 with the following prayers:

> *"In view of the submissions made herein above and in the accompanying Petition, the Petitioner humbly prays that this Hon'ble Court may be pleased to:*
>
> *a) Take the Settlement arrived at as recorded in the minutes of meeting dated October 16, 2019 on record and dispose of the present petition as withdrawn in terms of the settlement arrived at, particularly set out in Paragraph 4 and 5 of the present application;*

b) Pass any such orders or direction as it may deem fit in the interests of justice."

In substance, the application is for taking the settlement through minutes of meeting dated October 16, 2019 on record and the petition be dismissed as withdrawn in terms of the settlement arrived at.

A copy of the application has been given to the learned counsel for the respondents including the settlement through minutes of meeting dated October 16, 2019. She also confirms the contents of the application and the fact that through minutes of the meeting dated October 16, 2019, the parties have settled their *inter se* dispute. She also states that the said minutes of the meeting dated October 16, 2019 have also been signed by the respondent No.1.

The settlement through minutes of meeting dated October 16, 2019 is taken on record.

I take on record the submission made by the learned counsel for the respondent No.1 that in view of the settlement through the minutes of the meeting dated October 16, 2019, the respondent No.1 shall withdraw the letter of invocation dated October 10, 2019 addressed to the respondent No.2.

The petition is dismissed as withdrawn.

V. KAMESWAR RAO, J

OCTOBER 18, 2019*/aky*