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

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CS(COMM) 40/2019, I.As. 1107-1108/2019

**EXXON MOBIL CORPORATION**

..... Plaintiff

Through: Ms. Anuradha Salhotra and Mr. Acha  
Shekhar, Advs.

versus

**M/S COGENT AUTODRIVE LLP & ANR.**

..... Defendants

Through: Mr. Kirtiman Singh and Mr. Rohan  
Anand, Advs. for D-1

**CORAM:**

**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**ORDER**

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**11.12.2019**

1. Learned counsel for the parties state that the parties were relegated to the Delhi High Court Mediation and Conciliation Centre for exploring a settlement vide order dated February 13, 2019. The Delhi High Court Mediation and Conciliation Centre has filed the settlement agreement dated November 22, 2019. At this stage, my attention has been drawn to para 6c of the settlement agreement dated November 22, 2019 which reads as under:

*“c. The Plaintiffs have further agreed to drop the Second Defendant from the array of parties in the present suit. The Plaintiff shall however, be free to take any action against the Second Defendant as may be permitted in law for any subsequent actions, besides the present suit.”*

2. Noting the said fact that the second defendant has been dropped from the array of parties in the present suit, the amended memo of parties be filed within one week from today.

3. Learned counsel for the parties state that the settlement agreement be taken on record. They also state that the parties shall be abide by the terms and conditions of the settlement agreement dated November 22, 2019.
4. Accordingly, the settlement agreement dated November 22, 2019, running into 14 pages including Annexure-A, is taken on record and the same is exhibited as Exbt. 'AA'. I take on record the submission made by the learned counsel for the parties that the parties shall be abide by the terms and conditions of the settlement agreement dated November 22, 2019.
5. The suit and connected applications stand disposed of.
6. In view of the fact that the parties have settled their *inter se* dispute at initial stages of the suit, the plaintiff shall be entitled to refund of court fee under Section 16 of the Court Fee Act, 1870. The same shall be refunded in the name of Mr. Rahul Chaudhry, learned counsel for the plaintiff, who thereafter shall remit the amount to the plaintiff in USA.

**V. KAMESWAR RAO, J**

**DECEMBER 11, 2019/aky**