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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 231/2019**

BEST WESTERN INTERNATIONAL, INC. Plaintiff

Through: Mr.Jeevesh Nagrath, Mr.Jai Sahai
Endlaw, Ms.Ankita Bafna and
Mr.Abhinn V. Gupta, Advs.

versus

SKY CITY HOTELS PVT. LTD. & ANR. Defendants

Through: Mr.Vivek Singh, Ms.Amrita Sarkar
and Ms.Mayanka Dhavan, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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20.09.2019

IA 12936/2019

1. This is an application filed by the plaintiff and sole defendant in the nature of a joint application under Order 23 Rule 3 read with Section 151 CPC with a prayer to take the settlement agreement dated 7th June, 2019 on record and decree the suit in terms of the settlement agreement executed between the parties herein. The application is signed by the plaintiff and the defendant and their counsels. The application is also accompanied by the affidavits of the parties.
2. Learned counsel for the parties have drawn my attention to the settlement dated 7th June, 2019 at running page 173 of the paper-book. They state that the parties shall abide by the terms of the settlement. They also state that the suit be decreed in terms of the settlement agreement.
3. Noting the said submission, the suit is decreed in terms of the

settlement agreement. The application being I.A.12936/2019 and the settlement agreement dated 7th June, 2019 at running page 173 of the paper-book shall form part of the decree. The decree sheet be drawn up. The suit is disposed of. No cost.

4. Learned counsel for the plaintiff has drawn my attention to Prayer 3 of the application. As the parties have settled their disputes outside the Court, the plaintiff shall be entitled to refund of court fee in terms of Section 16(A) of the Court Fee Act. The certificate shall be issued in favour Mr.Jeevesh Nagrath, learned counsel for the plaintiff, who states that on receipt of the money, the same shall be remitted to the plaintiff in USA, after taking necessary permission(s) from the authorities including Reserve Bank of India. Noting the said submission, it is ordered accordingly.

5. In view of the above order, I.A. 11194/2019 has become infructuous and it is disposed of as such.

6. The present application is disposed of.

7. The next date of hearing, i.e. 22nd October, 2019 stands cancelled.

V. KAMESWAR RAO, J

SEPTEMBER 20, 2019/bh