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

+ **CS(COMM) 785/2018**

CYGNUS MEDICARE LIMITED

..... Plaintiff

Through: Mr.Tanmay Mehta, Mr.Ravi Kapoor,
Mr.Anurag Sahay, Mr.Siddhant
Singh, Mr.Raghav Wadhwa,
Ms.Sonakshi Singh, Advocates with
Dr.Dinesh Batra, Dr. Suchin Bajaj,
Sh.Praveen Chotani, plaintiffs in
person.

versus

**B.R. DHAWAN CHARITABLE
TRUST AND ORS**

..... Defendants

Through: Mr.Naresh C. Sharma, Mr.Saurabh
Luthra, Advocates along with Dr.
Vimal Dhawan, Ms.Pallavi Dhawan,
Mr.Shekhar Dhawan, defendants in
person

**CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA**

ORDER

% **06.02.2019**

I.A.1694/2019

1. The plaintiff has amicably settled all their disputes with the defendants and have filed a joint application I.A.1869/2019 under Order XXIII Rule 3 of the Code of Civil Procedure. The aforesaid settlement of the plaintiff is with the existing defendants No.1 to 4 as well as proposed defendants No.5 to 11. The plaintiff is seeking impleadment of proposed defendants No.5 to 11 to which the counsel for the defendants as well as proposed defendants have no objection.
2. The application is allowed and proposed defendants No.5 to 11 are

impleaded as defendants No.5 to 11. The amended memo of parties is taken on record.

CS(COMM) 785/2018 and I.A.1869/2019

3. The plaintiff and defendants No.1 to 11 have amicably resolved all their disputes and have filed a joint application for recording of the settlement. The application is signed by all the parties. The terms of the settlement are recorded in the settlement agreement dated 27th November, 2018 recorded before Delhi High Court Mediation and Conciliation Centre. The copy of the settlement has been placed on record along with the application.

4. I.A.1869/2019 along with the affidavits, settlement agreement dated 27th November, 2018 and the related documents (pages 1 to 90) are marked as Ex.C-1 (Colly.).

5. The settlement between the parties is lawful and is recorded. I.A.1869/2019 is allowed and the suit is decreed in terms of the settlement Ex.C-1 which shall form part of the decree. The parties shall remain bound by the terms of the settlement.

6. Learned counsel for the plaintiff seeks refund of the Court fees. Since the matter has been resolved through mediation, the Registry is directed to issue a certificate to the plaintiff for refund of the Court fees under Section 16 of the Court Fees Act.

7. Copy of this order be given *dasti* to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

FEBRUARY 06, 2019

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