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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 291/2016, IAs No.4185/2016 (u/O XXXIX R-1&2
CPC), 10720/2017 (u/O XII R-6 CPC), 1571/2018 (u/O XIII-A, R-2
of Commercial Courts Act r/w O-XII R-6 CPC) & 6214/2018 (of D-
3&4 u/O XIII-A CPC) & IA No. 3648/2019 (u/O XXIII R-3 CPC).
G D GOENKA PVT LTD. Plaintiff

Through: Mr. Rajat Aneja, Adv.

versus

RISING EDUCATION SOCIETY AND ORS Defendants

Through: Mr. Manuj Aggarwal, Mr. Rohit
Sharma, Ms. Arunima Gupta, Advs.
for D-1 along with Mr. Dheeraj
Kumar, AR for D-1.

Ms. Savita Malhotra with Ms. Suman
Malhotra, Advs. for D-3&4.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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13.03.2019

1. The parties in this suit are stated to have compromised all their disputes and differences subject matter of the suit and have filed IA No.3648/2019 under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (CPC) stated to be signed on behalf of the plaintiff as well as the defendants.

2. The counsel for the plaintiff and the counsel for the defendant no.1 and the counsel for the defendants no.3&4 support the settlement. It is also informed that the defendant no.2 has expired and no legal heirs have been brought on record.

3. I have perused the settlement / compromise arrived at and find the same to be lawful. The counsels state that the amount agreed to be paid by way of settlement has been paid/received in the Court as mentioned in the application. The authorised representative of the plaintiff is also stated to be present in the Court and has received the said amount.
4. A decree is accordingly passed, in favour of the plaintiff and against the defendants, in terms of the settlement/compromise as contained in IA No.3648/2019 which shall form part of the decree sheet, leaving the parties to bear their own costs.
5. Out of the court fees paid, after deducting the court fees on the settlement amount, the balance amount be refunded to the plaintiff and a certificate in that respect be issued and handed over to the counsel for the plaintiff.
6. Decree sheet be drawn up.
7. The date fixed of 27th March, 2019 is cancelled.
Dasti under the signature of Court Master.

RAJIV SAHAI ENDLAW, J

MARCH 13, 2019

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