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

+ **CS(COMM) 585/2017**

M/S AVTAR INSTALMENTS PVT LTD. Plaintiff
Through Ms.Garima Sharma, proxy counsel
for Mr.Avanish Kumar, Adv. with
Mr.Arpit Sharma, AR of the plaintiff

Versus

SANAJY LAMBA & ANR Defendants
Through Mr.Keshav Kumar, Adv.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

% **ORDER**
18.03.2019

IA No. /2019 (to be numbered)

This application is filed seeking permission to withdraw the suit as the matter has been settled and the defendant has agreed to pay a sum of Rs.1,30,00,000/- in equal instalments to the plaintiff. The defendant has agreed to pay Rs.20,00,000/- each month as mentioned in the Agreement. A copy of the Agreement dated 3.12.2018 has been attached to the application. The parties shall remain bound by the terms and conditions of the settlement. As the plaintiff wishes to withdraw the suit in terms of the settlement, present application is allowed.

IA No. /2019 (to be numbered)

By this application filed under section 151 CPC the plaintiff seeks substitution of Authorised Representative. Application is allowed.

CS(COMM) 585/2017

Learned counsel for the plaintiff has in court handed over above two applications. Same are taken on record and sent to the Registry for being numbered.

Suit is dismissed as withdrawn. In case there is a default on the part of the defendant, liberty is granted to the plaintiff to take steps against the defendant by filing an appropriate suit/avail any other remedy available in law. Since the matter has been disposed of at a preliminary stage by settlement, plaintiff shall be entitled to refund of 50% of the Court Fees as per Court Fees Act, 1870.

JAYANT NATH, J

MARCH 18, 2019

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