

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

FAO (Com)-5-2020 (O&M)

Date of Decision:01.12.2020

**Growthpond Technology Private Limited through its duly authorised
signatory and another**

...Appellants

Versus

ADJ Utility Apps Private Limited and others

...Respondents

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present: Mr.Rajat Khanna, Advocate,
Mr.Nirupam Lodha, Advocate
Mr.Ashutosh, Advocate
for the applicants/appellants.

Ms.Pragya Mishra, Advocate and
Mr.Hitesh Verma, Advocate for the non-applicants/respondents

[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.]

SANT PARKASH, J.

CM-17 & 19-FACOM-2020

Application is allowed. Exemption sought is granted.

CM-20-FACOM-2020

The prayer in the application is for placing on record joint
compromise dated 12.11.2020 and copy of order dated 12.11.2020 passed
by the High Court of Karnataka as **Annexures A-15 and A-16**, respectively.

After hearing heard the learned counsel for the parties, the
application is allowed as prayed for. Annexures A-15 and A-16 are taken
on record.

CM-21-FACOM-2020 -FAO-COM-5-2020

The prayer in the present application is for permission to
withdraw the main appeal in terms of the Joint Compromise Memo dated
12.11.2020 **(A-15)** entered into between the parties and filed before the
High Court of Karnataka at Bengaluru.

The present appeal has been filed by the applicant/appellant

against the order dated 05.10.2020 passed by the learned Additional District Judge-cum-Presiding Judge, Exclusive Commercial Court, Gurugram, whereby application No.CIS CS 19 of 2020 under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure preferred by the applicants/appellants has been dismissed.

On 10.11.2020, this Court passed the following order:-

- “1. Learned counsel for the parties inform the Court that the parties are exploring the possibility of arriving at a settlement. Accordingly, they request an adjournment.*
- 2. List on 1st December, 2020.”*

Today, i.e. 01.12.2020, learned counsel for the applicants-appellants have placed on record joint compromise dated 12.11.2020 (A-15) and copy of order dated 12.11.2020 (A-16) passed by High Court of Karnataka vide CM-20-FACOM-2020, admitting that both the parties have arrived at an amicable settlement on all the disputes between them in relation to the subject matter of the present appeal preferred by the applicants-appellants; Commercial Suit No.19 of 2020 filed before Additional District Judge-Cum-Presiding Judge, Exclusive Commercial Court at Gurugram; Writ Petition No.10172 of 2020 (GM-CPC) filed before High Court of Karnataka at Bengaluru and Commercial Suit No.215 of 2020 filed before the Commercial Court, Bengaluru.

In view of the above, the present application is allowed and the main appeal is permitted to be withdrawn, in terms of the above-said compromise dated 12.11.2020 (A-15).

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

01.12.2020
mks

Whether speaking/reasoned: Yes / No
Whether Reportable: Yes / No