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

+ CS(COMM) 2/2019 with CC(COMM) 1/2020, I.A. 66/2019 &
I.A. 17509/2019

BLS E-SERVICES PVT. LTD. & ORS. Plaintiffs
Through: Mr. Siddharth Sharma & Ms. Shruti
Arora, Advocates.

versus

HITACHI SYSTEMS MICRO CLINIC PVT. LTD. Defendant
Through: Mr. Abhishek Kaushik,
Mr. Siddhant Buxy & Mr. Debanshu
Khettry, Advocates.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
20.01.2020

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1. The parties were referred to mediation by the order dated 02.08.2019. The mediation proceedings have resulted in a settlement and the parties have entered into a settlement agreement dated 06.12.2019. A copy of the settlement agreement has been placed on record.
2. The authorised representative of the three plaintiffs and authorised representative of the defendant have signed the settlement agreement as have their counsel and the learned mediator.
3. The settlement agreement states that the claims and counter claims of the parties have been compromised under the terms mentioned in paragraph 7 thereof.

4. Having regard to the submissions of counsel and the material placed on record, I do not find any impediment to grant of a decree in terms of paragraph 7 of the settlement agreement. The amount of ₹60,00,000/- payable by the plaintiffs to the defendant under the settlement agreement has been admittedly received by the defendant/counter claimant on 04.01.2020.

5. In these circumstances, the suit and the counter claim are decreed in terms of the settlement agreement dated 06.12.2019. Decree sheet be prepared accordingly. Copy of the settlement agreement will form part of the decree.

6. In view of the fact that the parties have arrived at a mediated settlement, they are entitled to refund of court fees under Section 16 of the Court Fees Act, 1870. The Registry will issue a certificate in favour of the plaintiffs in respect of the court fees paid by it on the claim, and in favour of the defendant/counter claimant in respect of the court fees paid by it on the counter claim.

7. The suit, counter claim and all pending applications are disposed of in terms of the above.

PRATEEK JALAN, J

JANUARY 20, 2020

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