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

+ **CS(COMM) 597/2019**

STARBUCKS CORPORATION Plaintiff

Through: Mr.Sohan Singh Rana, Ms.Bindra
Rana, Mr.Ashish Sharma &
Ms.Vibhuti Vasisth, Advocates

versus

JAVA & JUICE BAR & ANR. Defendants

Through: Mr.Amrit Singh, Advocate
for D-1 & 2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **09.01.2020**

I.A.171/2020 (joint application under Order XXIII Rule 3 of the CPC)

1. This is a joint application by the parties for disposal of the suit in terms of a settlement arrived at between them. The terms of the settlement are recorded in paragraphs 3 to 5 of the application. The application is signed by Mr.Sandeep, as the proprietor of defendant No.1, and on his own behalf as defendant No.2 as well as by the authorized signatory of the plaintiff. It is also signed by Ms.Priya Adlakha, learned counsel for the plaintiff and Mr.Amrit Singh, learned counsel for defendants. The application is affirmed by the affidavits of the authorized signatories of the plaintiff and of defendant No.2 on his own behalf and as proprietor of defendant No.1.

2. Mr.Singh states that he has filed his *Vakalatnama* on behalf of defendants on 07.01.2020 under Diary No.10621/2020, but the same is not on record. A copy of the *Vakalatnama* has been produced and is taken on record. Mr.Singh will ensure that the original *Vakalatnama*, signed by the defendants, is placed on record.

3. Having heard learned counsel for the parties and perused the material on record, I do not find any impediment to the grant of a decree in terms of a compromise between the parties. The parties will be bound by the terms of compromise contained in paragraphs 3 to 5 of the application. Decree sheet be prepared accordingly. A copy of the application will be annexed to the decree.

4. The suit having been compromised between the parties at a pre-trial stage, the plaintiff is entitled to refund of 50% of the court fees under Section 16A of the Court Fees Act, 1870. The Registry will issue a certificate to this effect. In view of the fact that the plaintiff does not have an office in India, the refund of court fees will be made in the name of its counsel M/s S.S.Rana & Company.

5. The suit and the pending application stand disposed of in the above terms.

PRATEEK JALAN, J

JANUARY 09, 2020

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