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

+ **CS(COMM) 41/2019 & I.A. 1118-1119/2019**

WIPRO GE HEALTHCARE PVT. LTD. Plaintiff

Through: Mr. Saif Khan, Advocate with Mr.
Shobhit Agrawal, Mr. D. Singhal,
Advocates

versus

MR. MAHENDRA MEHRA Defendant

Through: Dr. Karnika Seth & Ms. Navya
Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **10.01.2020**

I.A.284/2020 (Application under Order XXIII Rule 3 of the CPC, 1908)

1. This is an application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908, for disposal of the suit in terms of a settlement between the parties.

2. It is stated in the application that the parties have settled their disputes on the terms recorded therein. The application is signed by the authorised signatory of the plaintiff and by the defendant, as well as by their respective counsel.

3. In view of the submissions made by counsel for the parties and the material on record, I do not find any impediment to passing of a decree in terms of the settlement. It is so ordered. The decree sheet be prepared accordingly. A copy of the application will form part of the decree.

4. Learned counsel for the defendant states that Clauses 3 (a), 3(b) and 3(c) of the application have been complied with. Learned counsel for the plaintiff states that Clauses 3(d) and 3(e) of the application will be

complied with within four weeks.

5. In addition to the terms recorded, it is agreed by the parties that disclosure of the terms of settlement to officers of the plaintiff-company for the purposes of compliance therewith will not constitute an infringement of Clause 2 thereof.

6. In view of the fact that the parties have entered into a settlement prior to the commencement of trial, the plaintiff is entitled to refund of 50% of the court fees in terms of Section 16A of the Court Fees Act, 1870. A certificate to this effect be issued by the Registry in favour of the plaintiff.

7. The application stands disposed of in terms of the aforesaid.

CS(COMM) 41/2019 & I.A. 1118/2019 (Application under Order XXXIX Rule 1 and 2 of the CPC, 1908) & 1119/2019 (Application under Section 151 of the CPC, 1908)

The suit alongwith all pending applications stand disposed of in terms of the order in I.A.284/2020.

PRATEEK JALAN, J

JANUARY 10, 2020

j's