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

+ CS(COMM) 489/2019 & I.A. 12355/2019

EVEREST INDUSTRIES LIMITED

..... Plaintiff

Through: Ms. Sabia Veqar, Advocate with
Ms. Sneha Sharma, Ms. Khyati
Kantawala, Advocates

versus

HIL LIMITED

..... Defendant

Through: Mr. Ankur Sangal, Ms. Pragya
Mishra, Mr. Shiva Tokas,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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13.03.2020

I.A.3457/2020 (*Application under Order XXIII Rule 3 of the CPC, 1908*)

1. This is a joint application by the parties under Order XXIII Rule 3 of the Code of Civil Procedure, 1908. It is stated that the parties have settled their disputes on the terms enumerated in paragraph 2 of the application. The application is signed by the authorised representatives of the plaintiff and the defendant, and also supported by affidavits of the signatories. It is also signed by learned counsel for both the parties. The authorisation in favour of the signatories have also placed on record.
2. Learned counsel for the parties request that a decree be passed in terms of the settlement.
3. Having regard to the materials on record and the submissions of counsel for the parties, there is no impediment to a decree being passed as sought. It is so ordered. Decree sheet be prepared accordingly.

4. As the parties have reached a settlement prior to commencement of trial, the plaintiff is entitled to refund 50 % of the court fees in terms of Section 16A of the Court Fees Act, 1870. The Registry will issue a certificate to this effect.

5. The suit and all pending applications are disposed of in terms of this order.

PRATEEK JALAN, J

MARCH 13, 2020

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