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

+ **CS(COMM) 236/2016**

RITNAND BALVED EDUCATION FOUNDATION Plaintiff

Through: **Ms. Kamlesh Mahajan &
Mr.Raajan Chawla, Advocates.**

versus

RANCHHOD M SHAH & ORS Defendants

Through: **Mr.Rahul Vidhani, Advocate
for D-1 to D-6.
Mr.Amit Bansal & Ms.Seema
Dolo, Advocates for CBSE.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **24.01.2020**

1. Pursuant to the order dated 14.01.2020, the newly impleaded defendant, Gyanada Educational Trust, has been arrayed as defendant no.6 in the suit. *Vakalatnama* on behalf of the newly impleaded defendant has also been filed by Mr. Rahul Vidhani, Advocate.
2. The parties have entered into a mediated settlement dated 19.12.2019, a copy of which has been placed on record. The settlement agreement has been entered into on behalf of the plaintiff and the six defendants. The terms of settlement are reflected in clauses 1 to 12 of the settlement agreement. The agreement has been signed by the plaintiff, and by defendant no.4 (on his own behalf, as constituted attorney for defendant nos. 1 to 3 and 5, and as trustee of defendant no.6). It is also signed by learned counsel for the parties and by the learned mediator.

3. Learned counsel pray for disposal of the suit in terms of the settlement agreement.
4. Considering the submissions of learned counsel for the parties and the material on record, I do not find any impediment to passing of a decree in terms thereof. It is so ordered. Decree sheet be prepared accordingly. A copy of the settlement agreement dated 19.12.2019 will form part of the decree.
5. In terms of the settlement, the defendants have stated that they are in the process of obtaining approval of the relevant authorities for change of name of their school. The approval and no objection certificate from relevant authorities has been applied for. Although notice in these proceedings was also issued to the Standing Counsel for the State of Gujarat, the State is unrepresented today. Learned counsel for CBSE is present. It is directed that the approvals sought by the defendants from the concerned authorities of the State of Gujarat and the CBSE will be processed in accordance with law, as expeditiously as possible.
6. The suit having been settled in the course of mediation, the plaintiff is entitled to refund of court fee under Section 16 of the Court Fees Act, 1870. Certificate to this effect be issued by the Registry in favour of the plaintiff.
7. The suit and pending applications stand disposed of in terms of this order.

PRATEEK JALAN, J

JANUARY 24, 2020

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