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

+ **CS(COMM) 1462/2016**

KENT RO SYSTEMS LTD & ANR

..... Plaintiffs

Through: Ms. Rajeshwari H., Mr. Kumar
Chitranshu and Mr. Saif Rahman
Ansari, Advs.

Versus

SANTOSH PODDAR & ORS

..... Defendants

Through: Mr. H.S. Gautam, Adv. for D-1.
Ms. Nilofar Absar, Adv. for D-8.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

14.01.2020

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1. Though I would have had to recuse, for the reason of the defendant No.8 but the counsel for the plaintiffs and the counsel for the defendant No.8 state that vis.-a-vis. defendant No.8, the matter has already been settled, as recorded in the orders dated 30th January, 2017, 17th May, 2017, 6th July, 2017 and 27th September, 2018 and the suit qua the defendant No.8 can be disposed of in terms thereof.

2. The counsel for the plaintiffs states that settlement has already been arrived at with defendant No.1 and defendants No.2 to 5 have not appeared despite service and have been proceeded against *ex-parte* on 30th July, 2018 and the right of defendants No.6&7 to file written statement has already been closed vide order dated 30th July, 2018.

3. Besides the counsel for the defendant No.8, only the counsel for defendant No.1 appears and affirms the position qua defendant No.1. None appears for defendants No.2 to 7.
4. The suit is accordingly disposed of, by passing a decree in favour of the plaintiffs and (i) against the defendant No.1 Santosh Poddar in terms of Settlement Agreement dated 1st November, 2019 stated to be signed on behalf of the plaintiffs and the defendant No.1 and their advocates and Ms. Manisha Agarwal Narain, Advocate/Mediator; and, (ii) against the defendants No.2 to 7 namely (a) Dilip Kumar, (b) Manoj Kumar, (c) Ashok Sharma, Proprietor of Life Care RO System, (d) Satya Das, (e) Jitendra Kumar and (f) Gordhan Matway, of permanent injunction in terms of prayer paragraph 54(a), (b) & (c) of the plaint dated 25th October, 2016.
5. The suit, in so far as against defendant No.8, is disposed of in terms of orders dated 30th January, 2017, 17th May, 2017, 6th July, 2017 and 27th September, 2018 and binding the defendant No.8 therewith.
6. The parties are left to bear their own costs.
7. Decree in favour of the plaintiffs and against the defendants No.1 to 7, in terms of above, be drawn up.

RAJIV SAHAI ENDLAW, J.

JANUARY 14, 2020
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