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

+ **CS(OS) 98/2023, I.A. 2700/2023, I.A. 13015/2023 & I.A. 13334/2023**

TRAWICK INTERNATIONAL INCPlaintiff

Through: Mr. Pramod K Singh, Advocate

versus

MR DHIREN KITHANI & ORS.Defendants

Through: Mr. Abhay Kaushik and Ms. Jasmine Detwani, Advocates for D-1

Mr. Tejas Karia, Mr. Varun Pathak, Mr. Shyamal Anand and Ms. Arunima Srivastava, Advocates for D-2

Mr. Deepak Gogia and Mr. Aadhar Nautiyal, Adv. for D-3

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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14.08.2024

1. Learned counsel for the plaintiff states that a Settlement Agreement dated 25.07.2024 ('Settlement Agreement') has been executed between the plaintiff and the contesting defendant no. 1.

1.1 He states that in view of the settlement agreement, the parties have arrived at terms and conditions, which are recorded in the settlement agreement qua the resolution of dispute between them.

1.2 He states that therefore, the plaintiff has no surviving cause against defendant nos. 2 and 3. He, therefore, prays that the said defendant nos. 2 and 3 be deleted from the array of parties.

2. Accordingly, in view of the aforesaid prayer of the plaintiff, defendant



nos. 2 and 3 are hereby deleted from the array of parties.

3. Amended memo of parties be filed within one (1) week so as to keep the record straight.

4. Learned counsel for the plaintiff further states that under the Settlement Agreement, the plaintiff herein has undertaken to withdraw the present suit.

5. Learned counsel for defendant no. 1 states that defendant no. 1 undertakes to remain bound by the terms and conditions of the Settlement Agreement. He states that defendant no. 1 has complied with all his obligations under the Settlement Agreement. The undertaking of defendant no. 1 is taken on record and defendant no. 1 is bound down to the same.

6. Accordingly, in view of the Settlement Agreement arrived between the parties on 25.07.2024, the present suit is disposed of in terms thereof binding the parties thereto to the obligations assumed thereunder.

7. All pending applications stand disposed of.

8. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

AUGUST 14, 2024/msh/sk

Click here to check corrigendum, if any