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

+ **FAO(OS) (COMM) 49/2019**

NTPC LTD

..... Appellant

Through: Mr Bani Dikshit, Mr Uddhav Khanna
and Mr Krishan Kumar, Advocates.

versus

M/S THIESS MINECS INDIA PVT LTD & ANR Respondents

Through: Mr Rohan Batra and Mr Dhruv Sethi,
Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

01.04.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

C.M. No. 19117/2024 *[Application filed on behalf of the appellant seeking withdrawal of appeal]*

1. Issue notice. Mr Rohan Batra, learned counsel accepts notice on behalf of the respondents.
2. Learned counsel for the respondents says that he has no objection, if the prayer made in the application is allowed.
3. Accordingly, the application is taken up for hearing and disposal.
4. The substantive prayer made in the application reads as follows:-

“Permit the Appellant to withdraw FAO (OS) (COMM) No. 49 of 2019 in view of the Settlement arrived at between the parties as per ‘Vivad Se Vishwas Scheme-II’ and allow the appellant to reopen the captioned appeal in case the proposed settlement fails to materialise”

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5. As is evident from a perusal of the prayer, the parties have arrived at a settlement under the *Vivad se Vishwas* II (Contractual Disputes) Scheme.
6. In these circumstances, the appellant seeks to withdraw the appeal.
7. It is ordered accordingly.
8. The prayer made in the application is allowed.
9. The application stands disposed of.

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10. In view of the order passed in C.M. No. 19117/2024, nothing further needs to be done in the present appeal.
11. Consequently, the case paper shall stand consigned to the record.
12. The date already fixed, i.e. 06.08.2024 shall stand cancelled.

RAJIV SHAKDHER, J.

AMIT BANSAL, J.

APRIL 01, 2024/kd

Click here to check corrigendum, if any