



\$~45

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

+ **CS(OS) 211/2022**

RAMAKRISHNA RAMASWAMY Plaintiff

Through: Mr Jai Sahai Endlaw, Mr Sidharth
Shankar and Mr Ashish Kumar,
Advocates (M: 8989810577).

versus

RAVI RAMASWAMY & ORS. Defendants

Through: Ms. Gunjan Sinha Jain, Mr. Rohit
Chawla, Mr. Manu Bajaj, Mr.
Harshit Joshi, Advocates for D-1
with Mr. Ravi Ramaswamy
Defendant No., Mrs. Nandini
Ramaswamy (Defendant No.2,3&5)
(M: 9999674252).
Mr Jai Sahai Endlaw, Mr Sidharth
Shankar and Mr Ashish Kumar,
Advocates for D-4 (M:
8989810577).

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER

% **28.05.2024**

1. This hearing has been done through hybrid mode.

I.A. 30610/2024 (for refund of Court fee)

2. This is an application filed by the Plaintiff seeking refund of Court Fee.

3. In view of the fact that the disputes have been amicably settled through mediation between the parties, full court fee is refunded to the



Plaintiff, through Id. Counsel in terms of the judgement in *Nutan Batra v. Buniyaad Builders [(2018) 255 DLT 696]*.

4. Application is disposed of.

CS(OS)-211/2022 & I.A.-30902/2024

5. The present suit has been filed by the Plaintiff-(Dr.) Ramakrishna Ramaswamy seeking recovery of a sum of Rs.5 crore from Mr. Ravi Ramaswamy. The Plaintiff and Defendant No.1 are brothers and they are the sons of late Col. (Retd.) N. Ramaswami and late Mrs. Malathi Ramaswamy. Defendant No. 2 is M/s Indebo Travels Pvt. Ltd. and Defendant No. 3 is M/s Indebo (India) Private Limited.

6. Summons were issued on 13th April, 2022 and the matter was, thereafter, referred to the Mediation Centre. Parties have negotiated and have arrived at amicable resolution of their disputes. However, for the said purpose, they also wish to implead two further companies, namely, M/s. Rajah and Kili Private Limited and Smt. Nandini Ramaswamy, the wife of Defendant No.1.

7. In view of the fact, that parties have already settled their disputes. In order to ensure that the settlement is comprehensive, the said company-, M/s. Rajah and Kili Private Limited and Smt. Nandini Ramaswamy are impleaded as Defendant Nos. 4 and 5. The amended memo of parties is taken on record which was attached with the application.

8. Accordingly, the suit along with ***I.A.-30902/2024*** is disposed of.

I.A. 30609/2024 (u/O XXIII Rule 3 CPC)

9. This is an application under Order XXIII rule 3 CPC,1908 wherein the parties have reported that they have entered into a settlement resolving all their disputes. The settlement agreement dated 4th May, 2024 entered



into under the aegis of the Delhi High Court Mediation and Conciliation Centre, is attached with the said application.

10. As per the said settlement, parties have agreed to the terms and conditions mentioned in clauses 1 to 24. Parties have arrived at a consensus as to the manner in which the properties and other belongings including the moveable assets, jewellery *etc.* would vest in the respective parties.

11. Plaintiff No.1, Defendant No.1, his wife (Defendant No.5, who is also authorised representative of Defendant Nos. 2 and 3), are present. Plaintiff is also the authorised representative of Defendant No.4. Thus, all the parties are duly represented. The Court has queried the three persons who are present in Court, they have confirmed that they have signed the settlement. The settlement agreement is also signed by the Id. Counsel for the parties and Id. Mediator.

12. The settlement agreement has been perused by the Court. The terms are lawful and there is no impediment in recording the settlement. Parties and all others acting for and on their behalf shall be bound by the terms and conditions of the settlement terms. The cheque for a sum of Rs.60,000/- in terms of Clause 4.1 has been handed over by the Plaintiff to the Defendants today.

13. The suit is accordingly decreed in terms of the clauses 1 to 24 of the settlement agreement. The next date shall stand cancelled.

14. The Court places on record its appreciation to the Id. Mediator who has rendered excellent services in the present case.

PRATHIBA M. SINGH, J.

MAY 28, 2024

mr/ks