



\$~2

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

+ **CS(COMM) 295/2023, I.A. 14702/2023, I.A. 15041/2023**

MESSERS AMBER ENTERPRISES

INDIA LIMITED

..... Plaintiff

Through: Mr. Juvraj Singh Bindra and Ms.
Anmol Dhindsa, Advocates.

versus

MESSERS BS GLOBAL

..... Defendant

Through: Mr. Shubham Jain, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **04.03.2024**

I.A. 5176/2024 (for allowing the parties to compromise the suit) &
CS(COMM) 295/2023

1. The parties have jointly filed this application under Order XXIII Rule 3 of the Code of Civil Procedure, 1908, to bring on record a Settlement Agreement dated 01.03.2024, by which they have settled their disputes.

2. The Settlement Agreement is signed by the authorised representatives of both the parties, and is supported by a resolution of the Board of Directors of the plaintiff – company and a Special Power of Attorney executed by one of the partners of the defendant – firm in favour of the other partner. It is stated that there are no other partners of the defendant – firm. The defendant has also handed over post dated cheques to the plaintiff in terms of the Settlement Agreement.

CS(COMM) 295/2023

Page 1 of 2



3. The application is signed by both the signatories to the Settlement Agreement, and learned counsel for the parties. It is also supported by affidavits of the said signatories.

4. In view of the aforesaid, I do not see any impediment to grant of a decree in terms of the Settlement Agreement, as prayed for by learned counsel for the parties. The suit is accordingly decreed in terms of the Settlement Agreement annexed in the application. The decree sheet be prepared accordingly. The Settlement Agreement will form part of the decree.

5. The suit and all pending applications are disposed of in these terms.

6. As the suit has been settled out of Court, in view of the provisions of Section 16A of the Court Fees Act, 1870, the Registry is directed to refund half the amount of the Court fees to the plaintiff.

PRATEEK JALAN, J

MARCH 4, 2024
SS/