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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) (COMM) 74/2024**
M/S UNISSI INDIA PVT. LTDAppellant
Through: Mr.Vikas Tomar, Adv.

versus

M/S HIGHWAY CONSTRUCTION CO. & ORS.Respondents
Through: Mr.Vishesh Kalra, Ms.Sonia Sharma
& Ms.Anoushka Deo, Adv. with Mr.Romin
Chedda, Representative of respondent

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **09.12.2024**

CM APPL.72118/24 (Order XXIII Rule 3 of the Code of Civil Procedure, 1908)

1. This is a joint application filed by the parties under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (hereinafter "the CPC") seeking disposal of the appeal in terms of the settlement arrived at between the parties on 09.11.2024. A copy of the said settlement agreement has been annexed with the application.
2. Having perused the settlement agreement, we find that the parties have agreed that the respondents will pay a sum of Rs.75 lakh in all to the appellant, out of which, a sum of Rs.37.50 lakh already stands paid and the remaining amount of Rs.37.50 lakh will be paid upon disposal of the appeal.
3. In the light of the aforesaid, we allow the application and dispose of the appeal by binding the parties to the aforesaid settlement agreement



dated 09.11.2024.

4. Taking into account that the parties have amicably settled the matter at the initial stage of the appeal itself as also the fact that the suit, as filed by the appellant, was returned under Order VII Rule 10, CPC, we direct that 75% of the Court fee be returned to the appellant.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 9, 2024

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