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

+ **CS(COMM) 446/2023**

BLANCO GMBH + CO KG

..... Plaintiff

Through: **Ms. Prakriti Varshney and
Mr. Prashant, Advocates.**

versus

PRADEEPBHAI HARJIVANBHAI PATEL & ORS. Defendants

Through: **Mr. Ankit Anandraj Shah, Advocate
for D-2 to 5.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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28.03.2024

I.A. 7158/2024 (under Order XXIII Rule 3 read with Section 151 of Civil Procedure Code, 1908 filed jointly by the Plaintiff and the Defendant Nos. 2, 3, 4 and 5)

1. In light of the statement made by the Defendants that Defendant No. 1 is no longer a partner of the firm - BLANCORA SURFACE, w.e.f. 1st April, 2022, counsel for the Plaintiff requests for Defendant No. 1 to be deleted from the array of parties.
2. The said request is allowed. Defendant No. 1 is deemed to be deleted from the array of parties. Let the amended memo of parties be filed within one week from today.
3. As far as the remaining Defendants i.e., Defendants No. 2 to 5 are concerned, they have arrived at a compromise with the Plaintiff, terms whereof, have been enumerated in paragraphs No. 3(A) to 3(K) of the



instant application. In compliance of the said terms, the Defendants No. 2 to 5 have also paid the litigation costs and damages of Rs. 1 lakh to the Plaintiff, the receipt whereof is duly acknowledged by the Plaintiff's counsel.

4. Counsel mentioned in the appearance above, confirm the compromise and pray that the suit be decreed in terms thereof.

5. The instant application is duly supported by affidavits of the respective Authorised Representatives of the parties. The counsel who have joined the proceedings confirm the compromise recorded in the application and pray that the suit be decreed as per the terms recorded in paragraph No. 3(A) to 3(K) of the application.

6. The Court has perused the terms of compromise in the present application, and finds the same to be lawful.

7. Accordingly, the present suit is decreed in favour of Plaintiff and against the Defendants No. 2 to 5, in terms of the compromise mentioned in the application, which shall form part of the decree. Parties shall remain bound by the said terms and conditions.

8. Decree sheet be drawn up.

9. The date already fixed i.e. 2nd May, 2024 stands cancelled.

SANJEEV NARULA, J

MARCH 28, 2024

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