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

+ **CS(OS) 600/2021 and I.A. 15110/2021, 4303/2024**

**DR. SANJAY SOOD**

..... Plaintiff

Through: Mr. Arun Sri Kumar & Mr. Krishna  
Datta Multani, Adv. (M:  
9874262674)

versus

**DR. IRWIN B. LEVITAN & ORS.**

..... Defendants

Through: Mr. Naveen Nagarjuna, Mr. Rishubh  
Agarwal and Mr. Ritik  
Raghuwanshi, Advocates for D-1 to  
3 (M: 9580680148).

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **29.02.2024**

1. This hearing has been done through hybrid mode.
2. The present suit has been filed by the Plaintiff seeking damages and injunction against the Defendant Nos. 1 to 3, directing them to remove or modify the retraction notice published on the website of Defendant No.3 *i.e.*, [www.elsevier.com/locate/brainres](http://www.elsevier.com/locate/brainres).
3. A joint application under Order XXIII Rule 3 CPC has been filed wherein it is stated that the parties have amicably resolved their disputes as per the settlement terms contained in the said application. The settlement terms are contained in paragraphs 2 (a) to 2 (c) and 3 of the application. As per the said settlement, the Defendants are to issue a fresh retraction notice within 30 days from the date of the suit being decreed as per the settlement. The application is signed by the Plaintiff's authorised signatory and the authorised signatory on behalf of Defendant Nos. 1 to 3.
4. The Court has perused the settlement. The same is lawful and there is



no impediment in recording the same. Accordingly, the settlement is recorded between the parties in terms of paragraph 2(a) to 2 (c) and 3 of the settlement application.

5. Parties and all others acting for or on their behalf shall be bound by the terms of the settlement. The retraction notice shall now be published in terms of the settlement application within 30 days.

6. The suit is decreed in terms of the settlement. All pending applications are disposed of.

7. The suit is not pressed against Defendant No.4 and, accordingly, the suit is dismissed as withdrawn qua Defendant No.4.

8. 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 counsel in terms of the judgement in *Nutan Batra v. Buniyaad Builders [(2018) 255 DLT 696]*.

**PRATHIBA M. SINGH, J.**

**FEBRUARY 29, 2024**

*dj/ks*