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

+ **O.M.P. (COMM) 405/2019**

FRESENIUS KABI ONCOLOGY LTD

.....Petitioner

Through: Mr. Sudhir K. Makkar, Sr. Advocate
with Ms. Saumya Gupta and Ms.
Aadhya Shrotriya, Advocates

versus

M/S WELCURE DRUGS & PHARMACEUTICALS LTD

.....Respondent

Through: Mr. Abhishek Sandillya, Advocate

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **12.11.2024**

I.A. 44724/2024 (for exemptions)

This application has been filed seeking exemption from filing certified copy of the order dated 24.10.2024. Exemption is granted subject to all just exceptions. The application is disposed of.

I.A. 44723/2024 (for correction/modification of the order dated 24.10.2024)

1. This is an application filed by the Petitioner seeking correction of the order dated 24.10.2024.
2. Learned senior counsel for the Petitioner states that as per the terms of settlement agreement arrived at between the parties, Akums Drugs and Pharmaceuticals Ltd. is entitled to receive only a sum of Rs. 1.75 crores, whereas the balance amount along with up-to-date accrued interest is required to be released in favour of the applicant/Petitioner.



3. Issue notice. Mr. Abhishek Sandillya, learned counsel for the Respondent accepts notice. He states that he confirms the averments in the I.A. 44723/2024 and has no objection to the prayer being allowed.

4. Accordingly, paragraph '4' and '5' of the order dated 24.10.2024 are amended, with the consent of the parties and the said order shall now read as under:-

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FRESENIUS KABI ONCOLOGY LTDPetitioner
Through: Mr. Sudhir K Makkar, Sr. Adv. with Ms. Saumya
Gupta, Ms. Aadhya Shrotriya, Ms. Mehak Nayak, Adv.

versus

M/S WELCURE DRUGS & PHARMACEUTICALS
LTDRespondent
Through: Mr. Abhishek Sandillya,
Adv.

**CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH**

**ORDER
24.10.2024**

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I.A. 43278/2024

1. This is an application filed on behalf of the petitioner and M/s Akums Drugs and Pharamceuticals Ltd. seeking to record that the petitioner and M/s Akums Drugs and Pharamceuticals Ltd. have arrived at a settlement and the present proceedings along with O.M.P. (ENF.) (COMM.) 184/2019 be disposed of in terms of the settlement arrived.



2. It is stated that *vide* order dated 13.05.2022, the court had directed the petitioner to deposit the entire awarded amount in terms of the impugned award dated 30.04.2019 and the same was deposited by the petitioner.

3. As per the settlement, it is stated that M/s Akums Drugs and Pharamceuticals Ltd. shall receive an amount of Rs. 1,75,00,000/- in full and final satisfaction of the impugned award.

4. Since the parties have entered into a settlement, the Registrar General will ensure that an amount of Rs. 1,75,00,000/- is released in favour of M/s Akums Drugs and Pharmaceuticals Ltd. in their bank account No. being 034081300000842, held with Yes Bank, Kirti Nagar, Delhi - 110015.

5. The balance deposited amount left with Registrar General, Delhi High Court along with entire up-to-date accrued interest is to be released in favour of the petitioner (Fresenius Kabi Oncology Ltd.) in their bank account No. being 0521529008, held with CITI Bank, India within 2 weeks from today.

6. Binding the parties to the terms of the settlement, the present petition along with O.M.P.(ENF.)(COMM.) 184/2019 are disposed of.

JASMEET SINGH, J

OCTOBER 24, 2024/DM

[Click here to check corrigendum, if any](#)



5. With the aforesaid modification, the application stands allowed.

MANMEET PRITAM SINGH ARORA, J
NOVEMBER 12, 2024/rhc/AKT