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

% ***Date of Decision: 08th October, 2024***

+ **CM(M) 1866/2023 & CM APPL. 58751/2023**

LORDS CREATIVE INFRASOLUTION PVT LTD & ANR.

.....Petitioner

Through: Mr. Satvinder Singh with
Mr. Gagandeep Singh and Mr.
Simranjot Singh, Advocate.

versus

DR. ABHISHEK BHATNAGAR

.....Respondent

Through: Mr. Gursharan Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a civil suit and is aggrieved by the order whereby he has been proceeded against *ex parte*.
2. The matter was earlier sent twice to mediation for exploring the possibility of settlement but it seems that no compromise could be arrived at.
3. However, with the efforts of the learned counsel for both the parties, the matter has now been resolved.
4. Learned counsel for the petitioner (defendant) states that as per the terms of settlement, the defendant has agreed to make payment of principle amount of Rs. 10,24,000/- along with interest @ 4% per annum from the date



of filing of the suit till realization and such amount shall be paid by way of 10 equal monthly installments.

5. Learned counsel for the respondent/plaintiff states that such terms are agreeable to the plaintiff and since the matter has been amicably settled, he would have no objection if the present petition is allowed and the defendant is permitted to participate in the proceedings. He also states that both the sides would file appropriate application under Order XXIII of CPC before the learned Trial Court and would pray for disposal of the matter in terms of such settlement.

6. In view of the above and keeping in view overall facts, the impugned order dated 04.10.2023 is set aside. The parties shall remain bound by the above said settlement terms and would move appropriate application before learned Trial Court so that such settlement is taken on record and the matter is, accordingly, disposed of.

7. The petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

OCTOBER 8, 2024/sw