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

+ **CS(OS) 276/2018 & I.A. 7696/2018**

RELIANCE JIO INFOCOMM LIMITED

.....Plaintiff

Through: Mr. Dayan Krishnan, Sr. Advocate
with Mr. K. R. Sasiprabhu, Mr.
Vishnu Sarma, Mr. Aabhas
Ksheterpal, Mr. Sanjeevi, Mr. Manan
Shishodia, Mr. Bhavuk Aggarwal and
Mr. Vappangi Sai Prasad, Advocates
along with Mr. Sharad Nigam, AR

versus

RAJAN S. MATHEWS & ANR

.....Defendants

Through: Mr. Syed Jafar Alam, Mr. Akshay
Bhatia and Ms. Ankita Kamath,
Advocates for D-1 & D-2

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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05.12.2024

I.A. 47305/2024 (under Order XXIII Rule 3 CPC)

1. This is a joint application filed by the parties under Order XXIII Rule 3 of the Code of Civil Procedure, 1908.
2. Learned senior counsel for the plaintiff states that the material terms agreed between the parties are set out at paragraph '10' of this application, which reads as under: -

“(a) The statements made by Defendant No. 1 /Mr. Rajan S. Mathews and Defendant No. 2 / COAI -which are described as disparaging, defamatory or maliciously false in the (i) the civil suit filed before this Hon'ble Court; and (ii) the criminal complaint filed before the Learned Patiala House Courts, New Delhi - will be treated as



unconditionally withdrawn, without requiring any further action on the part of any party;

- (b) **In the civil suit filed before this Hon'ble Court; and the criminal complaint filed before the Learned Patiala House Court, New Delhi, the Defendant No. 1/ Mr. Rajan S. Mathev and Defendant No. 2 /COAI undertake that they shall refrain themselves from making/using disparaging and defamatory statements, the words/phrases made in the plaint against the Plaintiff like "*back door operator*", "*skullduggery*", "*deep pockets and monopolistic designs*" in the future.**
- (c) Subject to the above, the Plaintiff/ RJIL will not seek any of the other reliefs sought in the present civil suit, including the relief of damages;
- (d) The Plaintiff / RJIL will file an application for compounding of the criminal offences alleged against Defendant No. 1 / Mr. Rajan S. Mathews and Defendant No. 2 / COAI, before the Learned Patiala House Courts, New Delhi and seek closure of the proceedings before the Learned Patiala House Court, New Delhi; and
- (e) The parties shall bear their respective costs in connection with these proceedings and the proceedings before the Learned Patiala House Courts, New Delhi."

3. He states that the settlement recorded at para 10 (b) is material for the present suit and prays that the suit may be decreed in terms of the settlement arrived between the parties. He states that plaintiff is not pressing for any other reliefs in the plaint in view of this settlement.

4. He states that in addition the plaintiff as well remain bound to have the criminal case compounded as undertaken at paragraph 10(d) of the application.

5. Learned counsel for defendant nos. 1 and 2 states that defendant nos. 1 and 2 shall remain bound by the undertaking recorded in this application.

6. This Court is satisfied that the settlement arrived between the parties



is lawful.

7. The statement of the plaintiff that he is not pressing any other relief in the suit is also taken on record. The parties are bound down to their statements and undertakings.

8. The present suit is, accordingly, decreed in terms of the settlement arrived at between the parties.

9. Pending applications stands disposed of.

10. The interim order dated 30.05.2018 shall merge into the final decree passed in terms of paragraph of 10(b) of this application. The registry is directed to draw up the decree sheet in terms of the settlement arrived between the parties.

11. All future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J
DECEMBER 5, 2024/rhc/MG

Click here to check corrigendum, if any