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

+ **CS(COMM) 83/2021**

COUNTY DEVELOPERS PVT. LTD. (CDPL)Plaintiff

Through: Mr.Rakesh Kumar Singh, Advocate.

versus

SAMARTH AD PROTEX PVT. LTD. (SAPL)Defendant

Through: Mr.Abhishek Bansal, Advocate.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **21.07.2025**

I.A. 17111/2025 (under Section 151 of CPC)

1. Having heard learned counsel appearing on behalf of the plaintiff and for the reasons stated in the application, the same stands allowed.
2. The application stands disposed.

CS(COMM) 83/2021

1. Learned counsel appearing on behalf of the parties submit that the matter stood settled and the terms of settlement have been recorded *vide* Memorandum of Settlement (MoS) dated 28.10.2024.
2. Order XXIII, Rule 3 authorises the Court to pass a decree on a compromise wherein the parties to the dispute have made an arrangement to settle the dispute. It has been comprehensively stated in the provision that the settlement arrived at should meet the essentials laid down therein,



namely, (i) the compromise is lawful (ii) it is reduced in writing (iii) it is duly signed by the parties arriving at the compromise.

3. The settlement has been agreed upon without fear or coercion and the parties appear to have entered into the settlement agreement on their own volition.

4. The Court is satisfied that the settlement has been arrived at between the parties following due procedure and meeting the essentials specified Order XXIII, Rule 3. Therefore, the parties shall be bound by the aforesaid settlement agreement.

5. Since, the application bearing I.A. 17111/2025 has already been allowed, the civil suit stands dismissed as withdrawn and the same is directed to be decreed in terms of the settlement agreement.

6. The Registry is directed to draw-up a decree sheet.

7. The civil suit along with the pending application(s), if any, stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

JULY 21, 2025

Nc/sph