



2025:DHC:9491-DB



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

+ **FAO(OS) (COMM) 310/2022 & CM APPL. 51565/2022**

SUN PHARMACEUTICAL INDUSTRIES LTDAppellant

Through: Mr. Sachin Gupta, Advocate.

versus

DWD PHARMACEUTICALS LTD.Respondent

Through: Mr. Rupin Bahl, Mr. Karan Bajaj and Ms. Aastha Arora, Advocates.

+ **FAO(OS) (COMM) 12/2023 & CM APPL. 2997/2023**

DWD PHARMACEUTICAL LTD.Appellant

Through: Mr. Rupin Bahl, Mr. Karan Bajaj and Ms. Aastha Arora, Advocates.

versus

SUN PHARMACEUTICAL INDUSTRIES LTD.

.....Respondent

Through: Mr. Sachin Gupta, Advocate.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

28.10.2025

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C.HARI SHANKAR, J.

1. These are cross appeals emanating out of order dated 22 November 2022 passed by a learned Single Judge of this Court in IAs 14992/2022, 7825/2022 and 9523/2022. Subsequently, the parties entered into an amicable resolution of their disputes between them and



2025:DHC:9491-DB



moved IA 14296/2025 under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 before the learned Single Judge. The said application stands allowed by the learned Single Judge and the suit stands decreed in terms of the settlement agreement between the parties.

2. Mr. Gupta, learned Counsel for Sun Pharmaceutical Industries Ltd, points out that costs of ₹10 lakhs had been imposed by the learned Single Judge on his client. He also points out that, among the terms of settlement was clause (f) which recorded the consent of the respondent-defendant to the present appeal being allowed to the extent of setting aside the cost of ₹ 10 lakhs.

3. In that view of the matter, nothing survives for adjudication in the present appeals. Both the appeals are disposed of as having become infructuous in the light of the decreeing of CS(Comm) 328/2022 in terms of the settlement arrived at between the parties. As one of the terms of settlement is that the costs of ₹10 lakhs awarded by the learned Single Judge be set aside, we set aside the costs of ₹ 10 lakhs awarded by the learned Single Judge.

4. Both these appeals stand disposed of in the aforesaid terms.

C.HARI SHANKAR, J

OM PRAKASH SHUKLA, J

OCTOBER 28, 2025/pa