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

+ RFA(COMM) 226/2025

UNIMARCK HEALTHCARE LTD.Appellant

Through: Mr. Vaibhav Arora, Mr. Ankit
Batra, Mr. Javed, Adv.

versus

MULTANI PHARMACEUTICALS LTD. (ANALYTICAL
DIVISION)Respondent

Through: Mr. Bhuvanesh Sehgal, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **22.05.2026**

CM APPL. 35559/2026 *[For withdrawal of the present Appeal]*

1. The present application has been filed by the Appellant seeking permission to withdraw the present Appeal.
2. Though the present application has been filed under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 [hereinafter referred to as 'CPC'], however, keeping in view the facts of the case, the same is treated as an application filed under Order XXIII Rule 3 of the CPC because as per the Deed of Settlement, the decree passed by the Court of First Instance is required to be modified.
3. Learned counsel representing the parties admit that in view of the Memorandum of Settlement dated 09.05.2026, the Appellant has paid an amount of Rs.7,50,000/- to the Respondent *vide* Demand Draft dated 22.04.2026 towards full and final settlement of all claims of the Respondent.
4. In view of the aforesaid, the present Appeal is disposed of in



terms of the Memorandum of Settlement dated 09.05.2026, which is taken on record and marked as Mark-C.

5. The said Memorandum of Settlement shall form part of the decree and consequently, the decree passed by the Court of First Instance shall stand modified accordingly.

6. The application stands disposed of.

CM APPL. 35560/2026*[For release of decretal amount]*

7. The present application has been filed by the Appellant seeking release of the decretal amount deposited with the Registry of this Court.

8. For the reasons stated in the application, the same is allowed.

9. The Registry is directed to release the entire decretal amount in favour of the Appellant.

10. The application stands disposed of.

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11. In view of the order passed today in CM APPL. 35559/2026, the present Appeal stands disposed of in terms of the Memorandum of Settlement dated 09.05.2026.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MAY 22, 2026

jai/ad