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

+ **CS(COMM) 401/2022**

ABROS SPORTS INTERNATIONAL PVT. LTD Plaintiff

Through: Mr. Ranjan Narula and Ms. Sumangla Swami, Advocates.

versus

SURENDER KUMAR SINGHAL TRADING

AS SURENDERA POLYMERS & ANR. Defendants

Through: Ms. Roma Bhagat, Mr. Rohan Sharma and Mr. Dipanshu Sehrawat, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **12.10.2022**

I.A. 16532/2022 (under Order 23 Rule 3 CPC, by parties)

1. Present application has been preferred jointly on behalf of the parties under Order 23 Rule 3 CPC, for recording of settlement.
2. It is stated in the application that during the pendency of the suit, the parties arrived at a settlement and a Memorandum of Understanding has been executed on 08.07.2022. The terms of the settlement are incorporated in the Memorandum of Understanding, whereby Plaintiff has agreed to forgo its claim of damages/cost against the Defendants. The Memorandum of Understanding has not been appended to the application, on account of confidentiality of the terms incorporated in the Memorandum of Understanding. A signed photocopy of the same has been handed over in the Court.



3. This Court has perused the terms of settlement and finds the same to be lawful.

4. Application is duly signed by the Authorized Representatives of Plaintiff as well as Defendants and is also counter signed by learned counsels for the parties.

5. Needless to state, the parties shall remain bound by the terms and the undertakings given therein.

6. Application is allowed and disposed of.

CS(COMM) 401/2022 & I.A. 9166/2022, 9170/2022

7. In view of the aforesaid order passed in I.A. 16532/2022, suit stands decreed in terms of the settlement arrived at between the parties and reliefs claimed in paragraph 37 (a) and (b) of the plaint. Terms of settlement shall form part of the decree.

8. Plaintiff is entitled to refund of the Court Fees deposited by it, in accordance with provisions of Section 16 of the Court Fees Act, 1870 read with Section 89 CPC, 1908.

9. Registry is directed to draw up the Decree sheet.

10. Suit is accordingly disposed of along with pending applications.

JYOTI SINGH, J

OCTOBER 12, 2022/shivam