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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 1205/2018 & I.A. 14930/2018

V GUARD INDUSTRIES LTD. Plaintiff

Through: Mr. Sachin Gupta, Advocate with
Ms. Jasleen Kaur, Ms. Jyoti Mehra and
Mr. Pratyush Rao, Advocates.

versus

M/S B.M. ENTERPRISES & ORS. Defendants

Through: Mr. Gulshan, defendant No.2 in person
and proprietor of defendant No.1.
Mr. Bal Mukand, proprietor of
defendant No.3 in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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20.12.2018

I.A. 17666/2018

At the outset, learned counsel for plaintiff wishes to delete defendant No.4.

Accordingly, defendant No.4 is deleted from the array of parties. Let an amended memo of parties be filed during the course of the day.

Today, learned counsel for plaintiff has handed over a joint compromise application, which the Registry has duly numbered.

The joint compromise application is duly signed by learned counsel for the plaintiff as well as by the parties to the litigation. The present

application is also supported by affidavits of authorised representative of the plaintiff and defendants No. 1 to 3. The proprietors of defendants No.1 and 3 are personally present in Court and have been identified by the learned counsel for plaintiff.

Learned counsel for the plaintiff as well as sole proprietors of defendants No.1 and 3 state that the matter has been compromised in accordance with the terms mentioned in the Settlement Application being I.A. 17666/2018.

Learned counsel for plaintiff and the sole proprietors of defendants No.1 and 3 further assure and undertake to this Court that the parties shall comply with the Settlement terms mentioned in the aforesaid Settlement Application.

The aforesaid statements, assurances and undertakings as well as undertakings given by learned counsel for the plaintiff as well as by sole proprietors of defendants No.1 and 3 are accepted by this Court and parties are held bound by the same.

This Court has also perused the Settlement Application and is of the opinion that the same is lawful.

Consequently, the present suit is decreed in accordance with the para 37 (a) to (d) of the plaint and in terms of the Settlement Application being I.A. 17666/2018, which is marked as Ex.C-1. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to an authorised representative of the plaintiff a certificate authorizing him/her to receive back from the Collector the full amount of the Court fee paid by it in the present suit.

With the aforesaid observations, present application is allowed and the suit and all pending applications stand disposed of. The interim order dated 30th October, 2018 stands modified.

MANMOHAN, J

DECEMBER 20, 2018

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