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

+ CS(COMM) 555/2021, I.A. 14342/2021, I.A. 17613/2021 &
I.A. 2340/2022

A2 INTERIORS PRODUCTS PVT LTDPlaintiff

Through: Mr. Mohit Chaudhary, Mr. Kunal
Sachdeva and Ms. Vaishali Shukla,
Advocates

versus

MR RAHUL BHANDARI & ORS.Defendants

Through: Mr. Prosenjeet Banerjee, Ms. Shreya
Singhal, Mr. Santosh Sachin, Ms.
Aanchal Kapoor and Mr. Deepak
Singh Rawat, Advocates

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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21.10.2024

I.A. 42850/2024 (under Order XXIII Rule 3 CPC filed by the plaintiff)

1. The present suit has been filed by the plaintiff seeking recovery of Rs.5,97,09,531/- against the defendants.
2. During the pendency of the proceedings, the parties were referred to the mediation under the aegis of Delhi High Court Mediation & Conciliation Centre, wherein they arrived at a settlement, terms whereof have been reduced into writing in the form of Settlement Agreement dated 30.07.2024, a copy of which has been annexed with the present application.
3. In terms of the said Settlement Agreement, the defendants have agreed to pay a sum of Rs. 2 crores to the plaintiff as full and final settlement of all claims and pending disputes.



4. Out of the aforesaid settlement amount, a sum of Rs. 80 lacs has already been paid by the defendants to the plaintiff at the time of quashing of FIR by the High Court of Judicature at Allahabad.
5. The balance amount of Rs. 1,20,00000/- has been paid by the defendants by way of cheque bearing no.000186 drawn at HDFC Bank, South Extension Branch, New Delhi-110049 to the plaintiff in the court today, the receipt of which is acknowledged by the plaintiff, who is present in the Court.
6. The learned counsel for the plaintiff submits that since the cheque for balance settlement amount has been paid, he seeks to withdraw the present suit subject to the realisation of the aforesaid cheque.
7. A perusal of the Settlement Agreement dated 30.07.2024 shows that the same is lawful, therefore, there is no impediment in allowing the plaintiff to withdraw the present suit in terms of the Settlement Agreement dated 30.07.2024, subject to the realisation of the aforesaid cheque.
8. In view of the above, the suit is dismissed as withdrawn. Interim order passed by this Court stands vacated. Pending applications, if any, are also disposed of.

VIKAS MAHAJAN, J

OCTOBER 21, 2024/PU