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

+ **FAO 185/2020 & CM. APPLS. 25086-88/2020**

JIGNESH PRAKASH SHAH Appellant
Through **Mr. Naman Joshi, Advocate.**

versus

SHARAD KUMAR SARAF & ORS. Respondent
Through **Ms. Sanjana Saddy, Mr. Chirag M
Shah, Advocates for R-1 & R-2.**

**CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

ORDER
09.04.2021

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CM APPL.13605/2021

1. The hearing was conducted through video conferencing.
2. By this application, appellant and respondents no. 1 and 2 seek to place on record the settlement between the parties.
3. For the reason stated in the application. Application is allowed, the appeal is taken up for consideration.

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1. Learned counsel for the appellant as well as respondent no. 1 & 2 submits that respondent no. 3 is merely a proforma party and no relief is sought against respondent no. 3.
2. Learned counsel for the parties submits that parties have settled

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Sanjeev Sachdeva

FAO 185/2020

their disputes and settlement agreement dated 18.03.2021 has been executed.

3. Learned counsel for the parties submit that parties have already performed the respective obligations under the agreement and undertake to abide by the same in future as well. The undertaking is accepted.

4. Learned counsel for the Respondent submits that respondent waives the objection with regard to the territorial jurisdiction of the trial court.

5. I have examined the terms of the settlement and find the same to be lawful.

6. In view of the above, the impugned order returning the plaint on the ground of jurisdiction is set aside. The Suit is decreed in terms of the settlement agreement and the appeal is accordingly disposed of.

7. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J

APRIL 9, 2021
NA