

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO.1473 OF 2017**

**VLS FINANCE LTD. ... APPELLANT(S)**

**VS.**

**SOUTHEND INFRASTRUCTURE PVT. LTD. & ANR. ... RESPONDENT(S)**

**WITH**

**CIVIL APPEAL NOS.11111-11113 OF 2017**

**VLS FINANCE LTD. ... APPELLANT(S)**

**VS.**

**BMS IT INSTITUTE PVT. LTD. & ORS. ... RESPONDENT(S)**

**O R D E R**

We are glad to note that better sense prevailed over the parties with the guidance of the Mediator, Justice Badar Durrez Ahmad (Retd.) and parties have entered into Settlement dated 9.3.2019 with the Deed of Adherence dated 19.3.2019, which have been placed before us along with the report of the Mediator.

We have examined the Settlement Agreement and there is no impediment to the said Settlement being accepted by this Court, with the direction that the parties will remain bound by the Settlement.

In view of Deed of Adherence, we make it clear that the same would amount to undertaking to this Court to make the requisite payments.

Annexure-A to the Settlement is the list of pending cases, some of them are before this Court and some of them are before the High Court, while one proceeding is pending before the ACMM, Saket District Court. The list has been reproduced for convenience :

S No	Case reference	Particulars	Court
1	VLS Finance vs. Southend & Others	CM Appl 5924/2015 in - CONT.CAS 970/2013	High Court
2	VLS Finance vs. BMS-IT & Others	SLP(Civil Appeal) 11111/17 Old 8178-80/2017 in FAO 295 Mentioned Orders 1/2/2016, 30/9/16 & 25/11/2016	Supreme Court
3	VLS Finance vs. Southend	SLP(Civil Appeal) 1473/17 - 32376/2015 in LPA 313/2015-Order 20.10.2015	Supreme Court
4	VLS Finance vs. BMS-IT & Others	OMP(i) Com 145/2016 old 383 A10677/14 & u/s 340 & CCP736/12	High Court
5	VLS Finance vs. BMS-IT & Others	OMP(i) Com 167/2016 old OMP 333/15	High Court
6	Kailash C Jain & Ors. vs. VLS Fin	OMP(i) Com 144/2016 old OMP 393/15	High Court
7	DK Gupta & Ors Vs.	OMP(i) Com 185/2016	High Court

	VLS Fin	old OMP 378/15	
8	VLS Finance vs. BMS IT & Ors	Rev.Pet 167/16, 340 in CriMA 5542/16-OMP 114/15	High Court
9	State Vs. BMS-IT Institute	FIR 77/2015, PS EOW, Crime Branch, Mandir Marg, Pending Trial in Saket District Court	ACMM Saket District Court

In view of the Settlement, all the civil proceedings at serial Nos. 1 to 7 shall stand withdrawn as compromised. The proceedings at serial Nos.8 & 9 shall stand quashed.

We appreciate the approach adopted by the parties and the active role played by the counsel for the parties to bring the long drawn out and the multifarious disputes among them to an end.

The civil appeals accordingly stand disposed of along with all pending applications.

.....J.  
[SANJAY KISHAN KAUL]

.....J.  
[INDIRA BANERJEE]

New Delhi;  
5th April, 2019.

ITEM NO.47

COURT NO.14

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).1473/2017

VLS FINANCE LTD.

Appellant(s)

VERSUS

SOUTHEND INFRASTRUCTURE PVT. LTD. & ANR.  
(With appln. for grant of interim relief)

Respondent(s)

WITH

C.A.Nos.11111-11113/2017 (XIV)  
(With appln.(s) for stay and intervention)

Date : 05-04-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Appellant(s) Mr. Nikhil Rohatgi, Adv.  
Mr. Harish Pandey, AOR  
Mr. Ashok Kumar Sharma, Adv.

Mr. Nikhil Rohtagi, Adv.  
Mr. Rohit Ghosh, Adv.  
Ms. Bina Gupta, AOR  
Mr. Ashok Kumar Sharma, Adv.  
Ms. Rakhi Ray, Adv.

For Respondent(s) Mr. Vijay Hansaria, Sr. Adv.  
Mr. Venancio D'costa, Adv.  
Mr. Divij Kumar, Adv.  
Mr. Rohit Jolly, Adv.  
Mr. Abhay Kumar, AOR  
Ms. Neetu Jain, Adv.

Mr. A.T. Patra, Adv.  
Ms. Gurkamal Hora, Adv.  
Ms. Tatini Basu, AOR

Mr. Divyakant Lahoti, AOR  
Mr. Shashank Garg, Adv.  
Ms. Amrita Grover, Adv.  
Mr. Parikshit Ahuja, Adv.  
Mr. Ashish Virmani, Adv.  
Ms. Praveena Bisht, Adv.

Ms. Aastha Jain, Adv.  
Mr. Rizwan, Adv.

Ms. Monisha Handa, Adv.  
Mr. Rav Chandana, Adv.  
Mr. Mohit D. Ram, AOR

Mr. Shantanu Sagar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The civil appeals are disposed of along with all  
pending applications, in terms of the signed order.

(Anita Rani Ahuja)  
Branch Officer

(Sarita Purohit)  
AR-cum-PS

(Signed order is placed on the file)