

19.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 516/2015 & IA No.3929/2015**

Decided on 07.09.2015

IN THE MATTER OF:

REMI PROCESS PLANT & MACHINERY LTD. Plaintiff
Through : Mr. Debarshi B., Advocate

Versus

M/S FERNAS CONSTRUCTION LTD. Defendant
Through : Mr.Sanjeev Srivastava, Advocate

CORAM
HON'BLE MS.JUSTICE HIMA KOHLI

HIMA KOHLI, J. (Oral)

1. Vide order dated 16.7.2015, the Joint Registrar had recorded the submission made by the counsel for the plaintiff that the plaintiff wished to withdraw the present suit.
2. Pertinently, the defendant No.1 was represented through counsel on the said date, but no written statement had been filed by it and the name of the defendant No.2 had already been deleted vide order dated 26.3.2015.
3. Counsel for the plaintiff reiterates the submission that his client wishes to withdraw the present suit in view of a settlement arrived at with the defendant.
4. Leave, as prayed for, is granted. The suit is disposed of, along

with pending application.

5. At this stage, learned counsel for the plaintiff states that as the parties have been able to arrive at a settlement prior to the pleadings being completed in the suit, the plaintiff is entitled to claim refund of 50% of the court fees in terms of Section 16-A of the Court Fees Act.

6. In view of the aforesaid submission made by the counsel for the plaintiff, the Registry is directed to issue a certificate in favour of the plaintiff for refund of 50% of the court fees, as per law.

File be consigned to the record room.

SEPTEMBER 07, 2015
mk

(HIMA KOHLI)
JUDGE