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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(OS) 3406/2014  
ASHU SHARMA ..... Plaintiff  
Through : Counsel for the plaintiff (appearance  
not given.)

versus

ABHIMANYU SEHGAL ..... Defendant  
Through : Mr. Shashank Rai, Adv. with  
defendant in person.

**CORAM:**  
**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**  
% **16.07.2015**

**I.A.14038/2015 (u/O 23 R 3 CPC)**

Learned counsel for the plaintiff submits that this application be treated as under Order 23 Rule 1 CPC since terms of settlement have already been complied with, inasmuch as, the defendant has paid the settled amount. Accordingly, present application is treated under Order 23 Rule 1 CPC. In terms of the settlement, defendant has paid ₹33 lakhs to the plaintiff receipt whereof has been admitted by the plaintiff's counsel.

Accordingly, suit is disposed of as not pressed. Date fixed in the matter, that is, 15<sup>th</sup> September, 2015 is cancelled.

**I.A. 14039/2015 (u/S 16 of The Court Fee Act,1870)**

Since parties have settled their disputes at the initial stage much before the commencement of evidence, in view of Section 16A of the Court Fees Act, 1870, 50% of the court fee be refunded to the plaintiff and necessary certificate in this regard be issued by the Registry.

Application is disposed of.

Dasti.

**A.K. PATHAK, J.**

**JULY 16, 2015**

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