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

+ **CS(OS) 1041/2013**

PS PATWALIA

..... Plaintiff

Through: Mr. Kamlesh Mahajan, Adv.

versus

THE STATE OF HARYANA & ORS. Defendant

Through: Mr. Anil Grover Aag with Mr.
Noopur Singhal, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **01.03.2016**

1. The parties were referred to the Delhi High Court Mediation and Conciliation Centre by this Court vide order dated 20.08.2015.
2. Delhi High Court Mediation Centre through Mediator Omkar Prasad has circulated the report dated 15.02.2016 and settlement agreement dated 05.01.2016.
3. In the report dated 15.02.2016, it has been stated by learned mediator that Mediation Sessions were held on 16.09.2015, 07.10.2015, 09.10.2015, 18.11.2015, 26.11.2015, 07.12.2015, 22.12.2015 and 05.01.2016. It has also been stated by the learned Mediator that both the parties have settled the matter and draft settlement has been circulated to the parties. In fact he has stated more time is required so that the parties can sign the final settlement. On 15.02.2016 he fixed the date of Mediation as 24.02.2016 at

4.00pm. Now, I note that the settlement agreement dated 05.01.2016 has been signed by both the parties, their Advocates and the Mediator.

4. The parties have settled their disputes on the following terms:

“8. The following settlement has been arrived at between the parties thereto:-

(a) That after filing of the CS(OS) No.1041/2013, the following payments were made by the Second Party to the First Party.

Date	Amount
12.09.2013	Rs.6,14,221/-
29.11.2013	Rs.1,60,339/-
Total	Rs.4,74,560/- (Rupees Seven Lakhs Seventy Four Thousand Five Hundred Sixty Only)

(b) That in view of the payments of Rs.7,74,560/- (Rupees Seven Lakhs Seventy Four Thousand Five Hundred Sixty Only) being made by the Second Party to the First Party, after filing of the present CS(OS)No.1041/2013, the First Party has agreed to settle the matter in mediation and withdraw the present CS(OS) No.1041/2013.

9. By signing this Settlement Agreement the parties hereto state that they have no further claims or demands against each other and all the disputes and differences have been amicably settled by the Parties hereto through the process of Mediation regarding the present suit bearing number CS(OS)No.1041/2013.

10. That the parties to this Settlement Agreement undertake to the Hon'ble Court to abide by the terms and conditions set out in the Settlement Agreement and not to dispute the same hereinafter in future.

11. The Hon'ble Court may consider refund of the court fees to the First Party/Plaintiff in terms of the Section 16 of the Court Fees Act read with section 89 of CPC, 1908.”

5. The settlement agreement is taken on record. The parties shall be bound their undertaking to abide by the terms and conditions set out in the Settlement Agreement and not to dispute the same hereinafter in future.
6. The suit having been settled is disposed of as withdrawn. No costs.
7. As the parties have settled their disputes with mediation on a reference made by the Court, the plaintiff shall be entitled to the return of the Court fees under Section 16 of the Court fees Act, 1870.

V. KAMESWAR RAO, J

MARCH 01, 2016
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