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

+ CS(OS) 2051/2014

M/S J.J. INTERIORS PVT LTD Plaintiff
Through: Mr. Rajinder Dhawan, Advocate with
Mr. B.S. Rana, Advocate

versus

M/S BOUTIQUE HOTELS INDIA PVT LTD Defendant
Through: Mr. Sidharth Tewari, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

% **ORDER**
05.01.2016

I.A. 7/2016 (by the plaintiff u/O XXIII R 1 CPC)

1. The present application has been filed by the plaintiff stating *inter alia* that during the pendency of the suit, the parties have been able to arrived at an out of court settlement, whereunder the defendant has paid a sum of Rs.1,72,00,000/- to the plaintiff in full and final settlement of all the disputes raised in the present suit.

2. Counsel for the plaintiff states that the cheque for Rs.1,72,00,000/- handed over by the defendant has been duly encashed and nothing further survives for adjudication in the present suit. He therefore, seeks leave to withdraw the same and requests that in view of the fact that the settlement has been arrived at

between the parties at the stage of completion of pleadings, the court fee may be refunded in terms of Section 16A of the Court Fees Act.

3. Leave, as prayed for, is granted. The suit is dismissed as withdrawn alongwith the pending application.

4. The Registry is directed to issue a certificate in favour of the plaintiff for refund of the court fees under Section 16A of the Court Fees Act, as per law.

5. The date already fixed, i.e., 21.01.2016 stands cancelled.

6. File be consigned to the record room.

HIMA KOHLI, J

JANUARY 05, 2016

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