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

+ **CS(COMM) 328/2016 and I.A. 4464/2016**

NOVEX COMMUNICATION PRIVATE LIMITED..... Plaintiff

Through: Mr. Jay Savla, Advocate with
Ms. Shilpi Chowdhary, Mr. Bharat Aggarwal and
Mr. Jasdeep S. Dhillon, Advocates

versus

HOTEL CROWNE PLAZA Defendant

Through: Mr. Badal Dayal, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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16.09.2016

1. Counsel for the plaintiff states at the outset that after summons were issued in the suit on 07.04.2016, the defendant had approached the plaintiff for a settlement and an out of court settlement has been arrived at between the parties and in terms whereof, he has instructions to withdraw the present suit.
2. In view of the submission made by the counsel for the plaintiff, the present suit is dismissed as withdrawn alongwith the pending application.
3. At this stage, learned counsel for the plaintiff states that in view of the fact that the parties have arrived at an out of court settlement prior to the stage of framing of issues 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.

4. 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.
5. File be consigned to the record room.

SEPTEMBER 16, 2016
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HIMA KOHLI, J

