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

+ CS(OS) 3031/2014, CC 75/2015 & IA 2901/2016

NARESH KUMAR GARG Plaintiff
Through: Mr. Sheel Kumar, Adv

versus

M/S SWARAN RESTAURANT PVT LTD Defendant
Through: Mr. Rahul Singh, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **30.05.2016**

1. The parties were referred to the Delhi High Court Mediation and Conciliation Centre by this Court on 28th April, 2016.
2. Learned counsel for the parties state that the parties have settled their disputes in terms of settlement agreement dated 30th April, 2016. I note that the Delhi High Court Mediation and Conciliation Centre has filed the settlement agreement dated 30th April, 2016 on record of these proceedings. The same is signed by plaintiff Naresh Kumar Garg, Puneet Singh on behalf of the defendant company, their counsels and learned Mediator.
3. Learned counsel for the plaintiff states that in terms of the settlement dated 30th April, 2016, plaintiff wishes to withdraw the present Suit. The

learned counsel for the defendant also seeks to withdraw the counter-claim filed by the defendant. Accordingly, Suit being 3031/2015 and Counter Claim CS(OS) 75/2015 are dismissed as withdrawn.

4. Learned counsel for the parties make a request for return of court fees affixed on the Suit as well as the Counter-Claim.

5. In view of the fact that the parties have settled their *inter se* disputes at the pre-evidence stage, plaintiff and defendant shall be entitled for return of court fees affixed on the Suit and the Counter-claim under Section 16A of the Court Fee Act, 1870. Necessary certificate shall be issued by the Registry.

6. All the pending applications are dismissed being infructuous.

V. KAMESWAR RAO, J

MAY 30, 2016

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