

\$~4

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

+ CS(OS) 3616/2014

AJAY AGGARWAL & OTHERS Plaintiffs

Through: None.

versus

LUV BHARDWAJ Defendant

Through: None.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% **21.10.2016**

1. The case has been placed before the Court by the Registry with a note dated 24.9.2016 to the effect that vide order dated 16.9.2016 when the joint compromise application filed by the parties was allowed (IA No.11408/2016) and the suit was disposed of, at the request of counsel for the plaintiffs, who had asked for refund of the court fees on the ground that the parties had arrived at an out of court settlement prior to the stage of framing of issues in the suit, directions were issued to the Registry to issue a certificate in favour of the plaintiffs for refund of 50% of the court fees, as per law.

2. It has been stated in the note that it is not feasible to comply with the directions issued on 16.9.2016 as the suit was listed subject to office

objections with regard to deficient court fees. As against the sum of Rs.13,19,969/- liable to be deposited on the plaint, the plaintiffs had only affixed court fee of Rs.50/-. In view of the fact that the plaintiffs never deposited the requisite court fees on the plaint, the question of refund of any amount does not arise.

3. It is therefore directed that the Registry need not issue any certificate for refund of 50% of the court fees in favour of the plaintiff. As none is present on behalf of the plaintiff today, intimation of the order passed today shall be communicated to the counsel for the plaintiff.

HIMA KOHLI, J

OCTOBER 21, 2016
sk/ap