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

+ **CS(OS) 51/2016**

SH NARENDRA BARMESHA Plaintiff
Through: **Mr. Rohit Aggarwal, Advocate.**

versus

SH BALAJI CONSTRUCTION & ORS Defendants
Through: **None.**

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **10.03.2016**

1. Counsel for the plaintiff states that he has instructions to withdraw the suit.
2. Suit is accordingly dismissed as withdrawn.
3. Counsel for the plaintiff states that entire court fee be refunded, but, that cannot be done inasmuch as, as per Section 16-A of the Court-Fees Act, 1870 (as applicable to Delhi) only 50% of the court fee can be refunded if the suit is withdrawn before leading of evidence. Accordingly, let the Registry give a certificate of refund of 50% of the court fee to the plaintiff.

VALMIKI J. MEHTA, J

MARCH 10, 2016

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