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

+ **CS(OS) 1952/2012 & I.A. 12036/2012**

M/S VSP ENTERPRISES PVT LTD Plaintiff

Through Mr. Ashish Kumar and Mr. Sandeep
Phogat, Advs.

versus

M/S JITCO OVERSEAS PROJECTS & ANR Defendants

Through Mr. Aviral Tiwari, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **20.09.2017**

I.A. 10864/2017 under Order XXIII Rule 1 CPC

By this application, the plaintiff seeks to withdraw the suit. It is contended that the disputes between the parties have been settled and the defendant has already paid the agreed amount in full and final settlement of all the claims of the plaintiff.

In view of the above, the application is allowed.

CS(OS) 1952/2012

The plaintiff seeks leave to withdraw the suit. It is contended that the plaintiff and the defendant have entered into a settlement and the defendant has paid the agreed amount in full and final settlement of all the claims of the plaintiff.

In view of the above, the suit is dismissed as withdrawn.

Decree sheet be prepared accordingly.

Since the matter has been settled prior to the affidavit of plaintiff's witness being tendered in evidence, the plaintiff is entitled to refund of half of the amount of court fees paid on the plaint.

Registry is accordingly directed to issue a certificate to the plaintiff authorizing the plaintiff to receive back from the Collector the appropriate amount of court fees in accordance with law.

SANJEEV SACHDEVA, J

SEPTEMBER 20, 2017

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