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

+ CS(COMM) 270/2017

DIMENSIONS CORPORATE FINANCE SERVICES PVT. LTD.

..... Plaintiff

Through: Mr. Sarul Jain, Ms. Geeta Malhotra,
Advocates with Ms. Anjali Thukral &
Ms. Swastika Kumari, AR.

versus

PUREARTH INFRASTRUCTURE LTD Defendant

Through: Counsel for the defendant;
(appearance not given).

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

% **01.05.2017**

I.A. No.5327/2017

The present application has been instituted jointly on behalf of the parties under the provisions of Order XXIII Rule 1 CPC, seeking leave to withdraw the accompanying suit in view of the settlement arrived at between the parties herein.

Learned counsel appearing on behalf of the parties state in unison that they have entered into an out of court settlement agreement dated 27.04.2017, which has the effect of satisfying the claim of the plaintiff, as asserted in the accompanying suit.

The said settlement agreement dated 27.04.2017 entered into between the parties is lawful and the same is taken on record, leaving the parties to comply with their reciprocal obligations there under, without demur. A copy of the said settlement agreement is annexed to the present application as Ex. C-1.

In view of the foregoing, the present application is allowed and is

accordingly disposed of.

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In view of the settlement arrived at between the parties as aforesaid, the suit is disposed of in terms thereof. Decree sheet be drawn accordingly.

Pending applications, if any, also stand disposed of.

The date already fixed in the matter, i.e., 27.09.2017 stands cancelled.

In view of the circumstance that the suit has been settled out of court, before any evidence has been recorded on the merits of the plaintiff's claim, the Registry is directed to refund half amount of the court fees paid *qua* the claim of the plaintiff in the present suit, in terms of the provisions of Section 16-A of the Court Fee Act, 1870.

SIDDHARTH MRIDUL, J.

MAY 01, 2017/‘AA’