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

+ **CS(OS) 3174/2011**

M/S TEXLA TOWERS LTD & ORS Plaintiffs

Through : Mr Praveen Kumar and Mr Sameer
Rai, Advocates.

versus

M/S RELIABLE INDUSTRIES & ORS Defendants

Through : Mr M.K.Chaudhury, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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09.10.2017

IA No.11564/2017(O.XXIII R.3 CPC) & CS(OS) 3174/2011

By this application, the plaintiffs seek leave to withdraw the suit.

It is contended that by way of a settlement arrived at between the parties outside the Court, the disputes have been settled and a Settlement Deed dated 15.05.2017 has been signed, in which terms of settlement have been recorded.

Learned counsel for the plaintiffs submits that the decree in terms of the Settlement Deed dated 15.05.2017 has already been passed in suit No.619432/2016 in the Court of Shri Shailender Malik. He submits that in view of the settlement recorded in the said suit, he wishes to simplicitor withdraw this Suit.

In view of the above, the Suit is accordingly dismissed as withdrawn. The application is also disposed of.

Decree Sheet be drawn upon accordingly.

Since the parties have settled their disputes out of Court and the Suit is at the stage of leading evidence by the parties, the plaintiffs shall be entitled to refund of Court fee.

Accordingly, the Registry is directed to issue a Certificate to the plaintiffs authorising Plaintiffs to seek refund of the appropriate Court Fee from the Competent Authority.

SANJEEV SACHDEVA, J

OCTOBER 09, 2017

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