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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 797/2018 & IA No. 4867/2018 (stay)**
FABINDIA OVERSEAS PVT. LTD. Plaintiff
Through : Mr. Karan Bajaj, Adv. with
Ms. Kangan Roda, Mr. Dhruv Nayar,
Advs.

versus

SOHAM SURESHKUMAR PATEL & ORS Defendants
Through : Mr. Ashish Singh, Adv. with
Mr. Saurabh Kumar, Adv. for D-1-2

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **31.05.2018**

IA No. 7835/2018 (u/O 23 R-3 CPC)

1. This is an application under Order 23 Rule 3 CPC. Application is signed by the parties as also their counsels. Application is supported by the affidavits of the respective parties and their authorized signatories. The application satisfies the requirements of Order 23 Rule 3 CPC. Suit is accordingly disposed of as compromised as per the terms stated in the present application and which will form a part of the decree between the parties. Decree sheet be drawn. Decree will also incorporate the fact that plaintiff

has dropped proceedings in the suit so far as defendant No.3 is concerned.

2. Since the suit is withdrawn by settlement before commencing of evidence, plaintiff is held entitled to refund of the 50% of the court fees in terms of Section 16-A of the Court Fees Act, as applicable to Delhi. Registry will issue the necessary certificate in favour of the plaintiff.

3. I.A and the suit accordingly stand disposed of.

VALMIKI J. MEHTA, J

MAY 31, 2018
SRwt