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

+ CS(OS) 3175/2012 & I.A. 19709/2012

GURMEET SINGH ..... Plaintiff

Through: Mr.Jasmeet Singh, Advocate

versus

CENTRAL MOTORS ..... Defendant

Through: Mr.Avijit Singh, Advocate

**CORAM:**

**HON'BLE MR. JUSTICE J.R. MIDHA**

**ORDER**

% **13.09.2018**

1. The parties have amicably settled their disputes through mediation. The terms of the settlement are recorded in the settlement agreement dated 10<sup>th</sup> September, 2018 which is on record.
2. Learned counsel for the plaintiff submits that he purchased a cabin in property bearing No. K-39, Lower Ground Floor, Lajpat Nagar-II, New Delhi and he instituted this suit against the defendant on the presumption that the defendant is in occupation of the property purchased by him. However, during mediation, the defendant satisfied that he is not in occupation of the portion purchased by the plaintiff. In that view of the matter, the plaintiff has agreed to withdraw this suit and plaintiff would institute the suit against the unauthorised occupant of the portion purchased by him after identifying the relevant portion, to which the defendant has no objection.
3. The suit is dismissed as withdrawn with liberty as prayed for.
4. Learned counsel for the plaintiff seeks refund of the Court fees. As the suit has been settled through mediation, the Registry is directed to issue

the necessary certificate to the plaintiff for refund of Court fees under Section 16 of the Court Fees Act.

5. The pending application is disposed of.

**J.R. MIDHA, J.**

**SEPTEMBER 13, 2018**

**ds**