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

+ **CS(OS) 236/2019**

SAINATH KRISHNAMANI

..... Plaintiff

Through: Mr.Tarique Siddiqui, Ms.Reetika
Gupta and Mr.Aamir Zaidi, Advs.
with the Plaintiff in person.

versus

GAYATRI KRISHNAMANI IYER & ORS. Defendants

Through: Ms.Jasmine Damkewala and
Ms.Vaishali Sharma, Advs. for D-1 to
D-3 with D-3/Vaishnavi Krishnamani
in person.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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20.01.2020

1. The parties were relegated to the mediation process *vide* order dated 31st July, 2019, passed by the learned Joint Registrar. The Delhi High Court Mediation and Conciliation Centre has filed a settlement agreement dated 27th November, 2019 running into 20 pages which includes two annexures (Annexure-A and Annexure-B).

2. Mr.Tarique Siddiqui, learned counsel appearing for the plaintiff along with plaintiff in person and Ms.Vaishali Sharma, learned counsel appearing for the defendant nos. 1 to 3 along with defendant no.3 (Vaishnavi Krishnamani) have drawn my attention to page 7 of the settlement agreement dated 27th November, 2019, which reads as under:

“AND WHEREAS with able assistance of Ms, Beenashaw N.

Soni, Ld. Mediator and the respective counsels, the parties have mutually resolved the disputes and amicably & voluntarily orally arrived at a Family settlement, dividing/ partitioning the properties left by their parents of which they are the co-owners in joint possession. The same is now recorded and reduced into writing before the Mediation Centre by way of Settlement Agreement dated 27.11.2019.”

3. Learned counsels for the parties state that the settlement agreement dated 27th November, 2019 be taken on record and the suit be decreed in terms of the said settlement agreement.
4. Noting the said submission made by the learned counsels for the parties, the settlement agreement dated 27th November, 2019 running into 20 pages is taken on record and is exhibited as Ex.A1.
5. The suit is decreed in terms of the settlement agreement dated 27th November, 2019.
6. Decree sheet be drawn up accordingly.
7. Mr.Tarique Siddiqui, learned counsel appearing for the plaintiff, has drawn my attention to para 5 at page 14 of the settlement agreement dated 27th November, 2019 and requests that the court fee be refunded.
8. In view of the parties have settled their inter-se disputes by way of a settlement agreement dated 27th November, 2019 before the Delhi High Court Mediation and Conciliation Centre, the plaintiff shall be entitled to the refund of court fee in terms of Section 16 of the Court Fee Act, 1870.

V. KAMESWAR RAO, J

JANUARY 20, 2020/bh