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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 149/2024 & I.A. 3806/2024-Stay**
HERO INVESTCORP PRIVATE LIMITED AND ANR.

.....Plaintiffs
Through: Mr. Pramod Kumar Singh and Mr.
Armaan Bhardwaj, Advocates

versus

SHUBH TRADERSDefendant
Through: Defendant in person.

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

% **ORDER**
06.09.2024

1. Learned counsel for the plaintiffs and defendant who appears in person, submit that the parties have entered into a Settlement Agreement dated 05.09.2024, before the Delhi High Court Mediation and Conciliation Centre as such the suit be decreed under *Order XXIII Rule 3* of the Code of the Civil Procedure, 1908.
2. Learned counsel for the plaintiffs and defendant further submit that the respective parties also support the terms of the aforesaid settlement.
3. Learned counsel for the plaintiffs and defendant confirm the terms of Settlement Agreement dated 05.09.2024 and identify their signatures and/ of their clients and pray that the suit be decreed in the terms therein.
4. This Court has perused the terms of the Settlement Agreement dated 05.09.2024 as recorded *inter se* the parties and finds them to be



lawful.

5. As such this Court sees no impediment in decreeing the present suit on the basis of the terms contained in the Settlement Agreement arrived *inter se* the parties. The suit is thus decreed accordingly.

6. The parties shall remain bound by the aforesaid terms of Settlement Agreement dated 05.09.2024.

7. Learned counsel for plaintiffs prays that since the disputes between the parties have been settled amicably in terms of the Settlement Agreement hence the court fees paid by the plaintiffs be refunded in terms of *Section 16* of the Court Fees Act, 1870.

8. This Court is of the view that since the disputes between the parties have been amicably settled, on an oral prayer made by the learned counsel for the plaintiffs, refund of 75% of the court fees paid by the plaintiffs is deemed justifiable.

9. Let a Certificate of refund of 75% of the court fees paid by the plaintiffs be prepared by the Registry and handed over to the learned counsel for the plaintiffs.

10. The present suit is decreed in terms of the Settlement Agreement dated 05.09.2024, which shall appended to the Decree Sheet as Annexure A to form a part of the it.

11. Decree sheet be drawn up accordingly.

SAURABH BANERJEE, J

SEPTEMBER 6, 2024/rr