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

+ CS(COMM) 185/2023, I.A. 6147/2023-by plaintiff for discovery.

M/S HARICHAND SHRI GOPALPlaintiff

Through: Ms. Prachi Agarwal, Mr. Manan
Mondal and Ms. Elisha Sinha, Advs
versus

M/S M.L. GUPTA AND SONS & ANR.Defendants

Through: Mr. Suyash Sinha and Mr. Shaurya
Chourasiya, Advs for D-1

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
19.09.2024

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1. Learned counsels for the parties submit that the parties have entered into a Settlement Agreement dated 08.08.2024, before the Delhi High Court Mediation and Conciliation Centre. The counsels for the parties further submit that the respective parties also support the terms of the aforesaid settlement.

2. The counsels for the respective parties confirm the terms of Settlement Agreement dated 08.08.2024 and identify the signatures of their respective clients and pray that the suit be decreed in the terms therein.

3. This Court has perused the terms of the Settlement Agreement dated 08.08.2024 as recorded *inter se* the parties and finds them to be lawful.

4. 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. Accordingly, the present suit alongwith the pending application is therefore decreed under *Order XXIII rule 3* of the CPC.

5. The parties shall remain bound by the terms of Settlement Agreement dated 08.08.2024, especially those recorded in paras 1 to 20 therein.

6. Learned counsel for the plaintiff prays that since the disputes between the parties have been settled amicably in terms of the Settlement Agreement dated 08.08.2024 hence the court fees paid by the plaintiff be refunded in terms of *Section 16* of the Court Fees Act, 1870.

7. 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 plaintiff, refund of 50% of the court fees paid by the plaintiff is deemed justifiable.

8. Let a certificate of refund of 50% of the court fees paid by the plaintiff be prepared by the Registry and handed over to the learned counsel for the plaintiff.

9. The present suit is decreed in terms of the Settlement Agreement dated 08.08.2024, which shall form part of the decree sheet as **Annexure A**.

10. Decree sheet be drawn up accordingly.

SAURABH BANERJEE, J

SEPTEMBER 19, 2024/Ab