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

+ **CS(COMM) 216/2023**

MARS FISHCARE NORTH AMERICA, INCPlaintiff

Through: **Ms. Vaishali R. Mittal, Advocate**

versus

GSM AQUARIUM PRODUCTS INDIA LLPDefendant

Through: **Mr. Vikramaditya Singh and Mr.
Hardeep, Advocates**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

09.08.2024

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1. Learned counsels for the parties submit that the parties have entered into a Settlement Agreement dated 18.06.2024, before the Delhi High Court Mediation and Conciliation Centre. The counsel for the parties further submit that their respective parties also support the terms of the aforesaid settlement.

2. The counsel for the respective parties confirm the terms of Settlement Agreement dated 18.06.2024 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 18.06.2024 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. The suit is thus decreed accordingly.

5. The parties shall remain bound by the aforesaid terms of Settlement Agreement dated 18.06.2024.

6. Learned counsel for the plaintiff 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 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 100% of the court fees paid by the plaintiff is deemed justifiable.

8. Let a Certificate of refund of 100% 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 18.06.2024, which shall form part of the decree sheet.

10. Decree sheet be drawn up accordingly.

SAURABH BANERJEE, J

AUGUST 9, 2024/akr