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

+ **CS(COMM) 395/2022**

VINITA GUPTA

.....Plaintiff

Through: Ms. P.C. Arya, Advocate

versus

AMIT ARORA

.....Defendant

Through: Mr.Ashwani Kumar Sharma &Ms.

Divya Ahuja, Advocates

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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16.07.2024

I.A. 33299/2024(Application filed under Order XXIII Rule 3 read with Section 151 of the CPC)

1. This is a joint application on behalf of the plaintiff and the defendant seeking a consent decree based on the terms of the settlement as enumerated in paragraph No.2(i) to 2(vii) of the present application.

2. Counsels for the plaintiff and the defendant confirm the settlement and pray that the suit be decreed in terms thereof. The application is duly supported by affidavits of the authorized representatives of the parties. The counsels for the respective parties confirm the terms of the settlement and identify the signatures of their respective clients and pray that the suit be decreed in terms of the settlement, as recorded in paragraph No. 2(i) to 2(vii) of the instant application.

3. This Court has perused the terms of the settlement as recorded in paragraph No. 2(i) to 2(vii) of the instant application and finds the same to be lawful. The parties shall remain bound by the terms and conditions of the settlement.



4. The present application is thus allowed and disposed of.

CS(COMM) 395/2022

5. The learned counsel appearing for the plaintiff, in view of the settlement entered *inter se* the parties, prays that since the disputes between the parties have been amicably settled, therefore the court fees paid by the plaintiff on the plaint be refunded in terms of Section 16 of the Court Fees Act, 1870.

6. As the disputes between the parties have been amicably settled, on an oral prayer made by the learned counsel appearing for the plaintiff, refund of 50% of the court fees paid by the plaintiff on the plaint is deemed to be justifiable.

7. Let a Certificate of refund of 50% of the court fees paid on the plaint be prepared by the Registry and handed over to the learned counsel for the plaintiff.

8. The present suit is decreed in terms of the settlement recorded hereinabove. ***I.A. 33299/2024*** to form part of the decree sheet as **Annexure A.**

9. Decree sheet be drawn up accordingly.

SAURABH BANERJEE, J

JULY 16, 2024/So