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

+ **CS(OS) 525/2022 & I.A. 14182/2022**

ZIA UR REHMAN

.....Plaintiff

Through: Mr. Syed Shakeel Husain and
Mr. Faisal Khan, Advocates

versus

ABDUL RAHMAN HASAN ORS

.....Defendants

Through: Mr. Sushant Mukund, Advocate
(through vc)

+ **CS(OS) 632/2022 & I.A. 16717/2022**

ABDUL RAHMAN HASAN

.....Plaintiff

Through: Mr. Sushant Mukund, Advocate
(through vc)

versus

ZIA UR RAHMAN AND ORS.

.....Defendants

Through: Mr. Syed Shakeel Husain and
Mr. Faisal Khan, Advocates.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

31.07.2024

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1. This order is being passed in continuation of the order dated 16.07.2024.
2. In pursuance to the directions issued vide order dated 16.07.2024, the parties had appeared before the learned Joint Registrar on 22.07.2024 and had their separate statements recorded confirming the execution of the



settlement agreement dated 22.05.2024 ('Settlement Agreement') before SAMADHAN, (Delhi High Court Mediation and Conciliation Centre).

3. Learned counsel(s) for the parties state that in view of the statements recorded the Settlement Agreement be taken on record and the captioned suit(s) be disposed of in terms of the said Settlement Agreement.

4. This Court has perused the Settlement Agreement and is satisfied that the same is lawful. It is directed that the parties will be bound by the terms of the Settlement Agreement. Accordingly, the present suit(s) are disposed of in terms of the Settlement Agreement dated 22.05.2024 and the terms of the Settlement shall form part of the decree. The Registry is directed to draw up a decree in terms thereof.

5. Learned counsel(s) for the plaintiff(s)/parties states that in view of the fact that the parties herein have arrived at a settlement before the Mediation Centre, they pray for refund of the entire Court fees of Rs. 3,16,131/- (Rupees Three Lakhs Sixteen Thousand One Hundred and Thirty-One only) to the Plaintiff in CS(OS) 525/2022 and Court fees of Rs. 2,500 (Rupees Two Thousand and Five Hundred Only) to the Plaintiff in CS(OS) 632/2022 in terms of Section 16 of the Court Fees Act, 1870.

6. In view of the fact that the parties have arrived at a settlement through mediation and in terms of Section 16 of the Court Fees Act, 1870 read with Section 89 of Code of Civil Procedure, 1908, this Court is of the opinion that the prayer for refund of the entire Court fees of Rs. 3,16,131/- to the Plaintiff in CS(OS) 525/2022 and Court fees of Rs. 2,500 to the Plaintiff in CS(OS) 632/2022 is liable to be allowed. The registry is directed to issue a refund certificate in the name of the respective plaintiff within four (4) weeks.



7. Pending applications stand disposed of.
8. The future dates, if any, in the present matters shall stand cancelled.
9. The learned counsels for the parties state that they will ensure that the directions with respect to filing of the hard copy of the statements duly signed by the parties in terms of the order dated 22.07.2024 will be complied with within one (1) week.
10. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

JULY 31, 2024/mk/MG/msh