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

+ **CS(OS) 746/2023**

RAJENDRA SINGHI HUF & ANR.

.....Plaintiffs

Through: Mr. Manoj Kumar Garg and Mr.
Sachin Kaushik, Advocates (Through
VC)

versus

SATISH LOHIA

.....Defendant

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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16.10.2024

**I.A. 42418/2024 (under Section 151 of CPC, 1908 for seeking withdrawal of
on account of out of Court settlement)**

1. This is an application under Section 151 of the Code of Civil Procedure, 1908 filed by the plaintiff, thereby, seeking leave to withdraw the present suit.
2. It is stated that the plaintiff has arrived at an out of Court settlement with the defendant on 15.09.2024 and therefore, the issues raised in the suit have been resolved between the parties to the satisfaction of the plaintiff.
3. Learned counsel for the plaintiff states that since the suit has been settled and is being withdrawn, the plaintiff prays for refund of the Court fee filed at the time of the filing of the suit. He states that the plaintiff will be satisfied if the refund of 50% of the Court fee is awarded in favour of the plaintiff.



4. In view of the averments made in the application, which are confirmed by the learned counsel for the plaintiff, the application is allowed and the suit is dismissed as withdrawn without reserving any liberty to the plaintiff herein.
5. Keeping in view that the parties have settled their disputes privately out of Court, prior to framing of issues and in accordance with Section 16(A) of the Court Fees Act, 1870, the Registry is directed to refund 50% of the Court fee to the plaintiff within four (4) weeks in accordance with the Rules.
6. Pending applications are disposed of.
7. All future dates are cancelled.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 16, 2024/rhc/MG