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

+ **CS(OS) 509/2024**

SHRI JITIN GARG

.....Plaintiff

Through: Mr. Sunil Goel, Ms. Dimple Aggarwal, Mr. Himanshu Goel, Ms. Varsha and Mr. Anil Gupta, Advocates with Plaintiff in person.
versus

SHRI AVINASH KUMAR VASISTH & ORS.Defendants

Through: Mr. M.A. Niyazi, Ms. Anamika Ghai Niyazi, Ms. Kirti Bhardwaj, Ms. Nehmat Sethi, Mr. Arquam Ali and Mr. Mani Shankar Tripathi, Advocates with Defendant no 1 in person Through VC

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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23.05.2025

I.A. 13140/2025

1. This is an application filed on behalf of the Plaintiff to withdraw the suit in view of the settlement arrived at between the parties incorporated in MoU dated 19.05.2025, copy of which has been placed on record.
2. Issue notice.
3. Mr. M.A. Niyazi, learned counsel accepts notice on behalf of Defendants No. 1 to 3.
4. Learned counsel for the Plaintiff submits that no relief is sought against Defendant No. 4 whose right to file written statement was closed and the said order is unchallenged.

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This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

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5. Accordingly, application is allowed permitting the Plaintiff to withdraw the present suit.

6. Application stands disposed of.

CS(OS) 509/2024 & I.A. 9442/2025,

7. In view of the order passed in I.A. 13140/2025, suit along with pending application is disposed of as withdrawn in terms of the settlement arrived at between the parties.

8. Learned counsel for the Plaintiff seeks refund of Court Fees and relies on an order of the Co-ordinate Bench of this Court in ***M/s Ramesh Paper Mart v. M/s Matrix Global Private Limited, CS (COMMM) 1448/2016*** decided on 20.01.2023.

9. In light of the aforesaid judgement, Registry is directed to refund the court fee to the Plaintiff.

JYOTI SINGH, J

MAY 23, 2025/shivam