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

+ **CS(COMM) 58/2025**

M/S DELHI PLASTICHEM PVT LTDPlaintiff

Through: **Ms. Mannat Kohli, Advocate**

versus

MR KRISHAN KUMARDefendant

Through: **None**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **13.05.2025**

CS(COMM) 58/2025

1. Learned counsel for the plaintiff states that the disputes between the parties have been amicably settled before the Delhi High Court Mediation and Conciliation Centre vide Settlement Agreement dated 24.04.2025.

1.1 She states that statement of the parties confirming the due execution of the Settlement Agreement dated 24.04.2025 was recorded before the learned Joint Registrar on 07.05.2025.

1.2 She states that the entire amount recorded in Clause (b) of the said settlement agreement has been duly received by the plaintiff. She states that therefore the claims of the plaintiff qua the defendant stands satisfied.

1.3 She prays that the present suit may be disposed of in terms of said settlement agreement and the Court fees be refunded as per Section 16 of Court Fee Act, 1870.

2. This Court has heard the learned counsel for the plaintiff and perused the record.

3. The Supreme Court in **Afcons Infrastructure Ltd. v. Cherian**

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Varkey Construction Co. (P) Ltd.¹ while dealing with the Section 89 of the Code of Civil Procedure, 1908 ('CPC') has observed that a settlement agreement executed through the process of mediation be placed before the Court for recording it and disposing of the suit in its terms; and while dealing with the settlement, the Court should apply the provisions of Order XXIII Rule 3 CPC and make a decree in terms of the settlement in regard to the subject matter of the suit, to make such settlement effective.

4. This Court is satisfied that the compromise between the parties recorded in the aforesaid Settlement Agreement dated 24.04.2025 satisfies the requirements of Order XXIII Rule 3 CPC. The settlement arrived between the parties is lawful and this Court does not find any impediment in disposing of the captioned suit in terms of the said agreement.

5. The suit is hereby disposed of in terms of the Settlement Agreement dated 24.04.2025.

6. Keeping in view 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 CPC, the Registry is directed to refund the 100% Court fees to the plaintiff in accordance with the Rules.

7. The registry is directed to issue a refund certificate in the name of the plaintiff within four (4) weeks.

8. All future dates stand cancelled.

9. Pending applications stands disposed of.

MANMEET PRITAM SINGH ARORA, J

MAY 13, 2025/mt/MG

¹ (2010) 8 SCC 24.

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