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

+ **CS(OS) 108/2026 & I.A. 3375/2026, 7986/2026**

RAMI NIRANJAN DESAI

.....Plaintiff

Through: Mr. Raghav Awasthi, Ms. Nabeena N. Alikadli, Mr. Jagdish Trivedi and Mr. Ravi Gupta, Advs.

versus

HOULIM SHOKHOPAO MATE AND ORS.

.....Defendants

Through: Mr. Rajesh Kumar and Ms. Priya Rastogi, Advs. for D-1.

Mr. Hrishikesh Baruah, Mr. Kumar Kshitiz, Mr. Utkarsh Dwivedi, Ms. Pragya Agarwal, Ms. Nishtha Sachan and Mr. Yashaswy Ghosh, Advs. for D-2.

Mr. Deepak Gogia, Mr. Aadhar Nautiyal and Ms. Shivangi Kohli, Advs. for D-3/X Corp.

Mr. Aditya Gupta and Mr. Rohith Venkatesan, Advs. for D-4/Google LLC.

Ms. Ambee Rana, Ms. Radhika Roy and Mr. Tanuj Sharma, Advs. for D-5/Meta Platforms Inc.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

25.03.2026

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1. Mr. Raghav Awasthi, learned counsel for the plaintiff submits that a settlement has been arrived at between the parties whereunder it has been agreed that defendant nos.1 and 2 will take down all the alleged offending material and the plaintiff will withdraw the suit.

2. He informs that the entire offending material has been removed by defendant nos. 1 and 2.



3. Mr. Hrishikesh Baruah, learned counsel for defendant no.2 submits that the alleged offending material has been removed by the defendant no.2 from its website portal i.e. indiatodayne.in.

4. Likewise, Ms. Priya Rastogi, learned counsel for defendant no.1 submits that the alleged offending post has also been removed by defendant no.1 as well. The aforesaid statements of Mr. Baruah and Ms. Priya Rastogi, learned counsel for defendant nos.1 and 2, are taken on record and they are bound down to the same.

5. In view of the above statement, Mr. Awasthi, learned counsel for the plaintiff seeks to withdraw the present suit with liberty to approach the Court in case any offending material is posted by any person in future.

6. Accordingly, the suit is withdrawn with liberty as aforesaid.

7. At this stage, Mr. Awasthi prays for refund of Court Fee as the suit has been disposed of in view of settlement between the parties.

8. It is noted that the Government of NCT of Delhi has issued a notification published in the Delhi Gazette dated 06.03.2026 vide notification no. F. 14 (105)/LA-2026/ jtsecylaw /359-368 titled ***“The Court Fees (Delhi Amendment) Act, 2026”***, whereby Section 16 of the Court Fees Act, 1870 has been substituted and Section 16A has been omitted. The substituted Section 16, as applicable to the National Capital Territory of Delhi, reads as under:

“Section 16 – Refund of Fee:- Where the parties to a suit or appeal, at any stage of such suit or appeal, settle their dispute amicably, with or without the intervention of the Court and with or without invoking any of the modes of settlement of dispute, referred to in section 89 of the Code of Civil Procedure, 1908 (5 of 1908) and the said suit including Counter-claim, if any, or appeal is disposed of as settled/compromised by the court, the plaintiff/Counter-claimant



shall be entitled to a certificate from the Court authorizing him to receive back from the collector/competent officer, the full amount of fee, paid in respect of such plaint/counter claim.”

9. As per Gazette notification dated 06.03.2026, the newly substituted Section 16 has come into force w.e.f. 06.03.2026. Reading of newly substituted Section 16 stipulates that where parties to a suit settle their dispute amicably at any stage of the proceedings and the suit is disposed of as settled/compromised by the Court, even without intervention of ADR, the plaintiff shall be entitled to a certificate from the Court authorizing him to receive back from the Collector/competent officer the full amount of court fee paid in respect of the plaint.

10. Having regard to the fact that the parties have arrived at a settlement, and the suit has been disposed of in terms thereof, this Court is of the view that the plaintiffs are entitled to refund of the full court fees affixed on the plaint.

11. Accordingly, Registry of this Court is directed to issue a certificate to the plaintiff for refund of full Court Fees, in accordance with extant rules.

VIKAS MAHAJAN, J

MARCH 25, 2026/dss