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

+ CS(OS) 10/2021, CRL.M.A. 2249/2022 & I.A. 12903/2025

DR. RAJ KUMAR BHATIA .....Plaintiff

Through: Ms. Ishita Nagpaul, Advocate.

versus

DR. ANIL BHATIA .....Defendant

Through: Mr. Sanjeev Puri, Sr. Adv. with Ms. Pragya Puri, Adv.

Dr. Anil Bhatia, D-1 (through VC)

Dr. Amita Bhatia, D-2 (through VC)

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

% **24.03.2026**

1. The learned counsels appearing on behalf of the parties jointly submit that during the pendency of present proceeding, the parties were referred to mediation, where they have arrived at settlement, terms whereof have been reduced in writing in the form of settlement agreement dated 03.03.2026 (hereinafter referred to as 'the settlement').

2. In terms of said settlement, defendant has to pay an amount of Rs. 3.30 crores, which has been paid by the learned counsel for the defendant to the learned Counsel for the plaintiff today in Court by way of demand draft bearing no. 026351 dated 23.03.2026 issued by HDFC Bank in favour of the plaintiff.

3. In view of the above, the learned Counsel for the plaintiff seeks to



withdrawn the present suit.

4. The suit, along with pending applications, is dismissed as withdrawn and the interim order(s) stand vacated.

5. At this stage, learned counsel appearing on behalf of plaintiff submits that since the suit has been disposed of in view of the settlement, therefore, the court fee affixed by the plaintiff on the plaint may be refunded.

6. Having regard to the fact that the parties have arrived at a settlement, the plaintiff is entitled to refund of Court fee in view of newly substituted Section 16 in the Court Fees Act, 1870 by virtue of Gazette Notification dated 06.03.2026.

7. 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.”*



8. 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 full amount of court fee paid in respect of the plaint.

9. 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 full court fees affixed on the plaint.

10. Accordingly, Registry of this Court is directed to issue a certificate to the plaintiffs for refund of full court fees, in accordance with rules.

**VIKAS MAHAJAN, J**

**MARCH 24, 2026**

**N. S. ASWAL**