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

+ **CS(OS) 225/2026, I.A. 7294/2026 & I.A. 7295/2026**

RAJIV SWARUP PATHAK & ANR.

.....Plaintiffs

Through: Ms. Vandana Bhatnagar, Adv.
versus

RAKESH KUMAR MALHOTRA

.....Defendant

Through: Mr. Dinesh Garg and Ms. Rachna
Agrawal, Advs.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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29.04.2026

I.A. 11949/2026 (joint application under Order XXIII Rule 3 read with Section 151 CPC)

1. The captioned suit was filed by the plaintiff praying for decree of specific performance with regard to agreement to sell dated 29.12.2025.
2. During pendency of the proceedings, the parties have arrived at settlement, terms whereof have been incorporated in para 4 of the application. The application has been signed by the plaintiffs, as well as, the defendant. Further, it is also supported by affidavits of parties.
3. I have gone through the terms of the settlement, the same are found to be lawful, therefore, there is no impediment for decreeing the suit in terms of such settlement.
4. Accordingly, the application is allowed and the suit is decreed in terms of the settlement detailed in the application, which shall form part of



the decree. The parties shall remain bound by the terms of settlement.

5. The application is allowed and disposed of.

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6. In view of the order passed above, the suit stands disposed of.

7. At this stage, learned counsel for the plaintiff submits that since the parties have arrived at settlement, and the suit has been disposed of in terms thereof, the Court fee affixed on the plaint be refunded.

8. In view of the above, this Court is of the view that the plaintiff no. 1 is entitled to refund of full court fees affixed on the plaint in terms of the Gazette Notification dated 06.03.2026 published by the GNCTD vide Notification No. F.14 (105)/LA-2026/ jtsecylaw /359-368 titled ***“The Court Fees (Delhi Amendment) Act, 2026”***

9. Accordingly, the Registry of this Court is directed to issue a certificate to the plaintiff for refund of full court fees.

10. Pending application (s), if any, also stands disposed of.

VIKAS MAHAJAN, J

APRIL 29, 2026

N.S. ASWAL