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

+ **CS(COMM) 696/2024 & I.A. 3070/2026**

M/S ERA INTERNATIONALPlaintiff

Through: Mr. S.K. Pandey and Mr. Rajan
Parmar, Advs.

versus

**ANIL KUMAR PITTI SOLE PROPRIETOR OF M/S PITTI COAL
COMPANY**Defendant

Through: Mr. Kushagra Bansal, Adv.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **04.02.2026**

I.A. 3070/2026 (Seeking withdrawal of the suit pursuant to Settlement Agreement)

1. The present application has been filed on behalf of the plaintiff under Section 151 of the Code of Civil Procedure, 1908 ("CPC") for withdrawal of the present suit, pursuant to a settlement having been arrived at between the parties.
2. Learned counsels appearing for both the parties jointly submit that both the parties have settled their disputes and entered into a Settlement Agreement dated 14th January, 2026, which has been filed on record along with the present application.
3. It is submitted that cross-suits had been filed by the parties, i.e., **CS(COMM) 820/2023** and **CS(COMM) 696/2024**, arising from the same



subject matter, and in view of the Settlement Agreement entered into between the parties, the parties have decided to withdraw their respective claims, being sought by way of the cross-suits filed by them.

4. Learned counsel appearing for the plaintiff submits that in view of the Settlement Agreement dated 14th January, 2026, the plaintiff does not wish to continue the present suit, and accordingly, seeks to withdraw the suit by way of the instant application.

5. Learned counsels for both the parties further jointly submit that the parties undertake to abide by the terms and conditions of the Settlement Agreement dated 14th January, 2026.

6. This Court notes that the plaintiff has also filed an application being I.A. 2162/2026 for the refund of Court Fees amounting to Rs. 2,79,100/-.

7. Considering the fact that the present suit is being withdrawn by the plaintiff and taking into account the settlement arrived at between the parties, the Court Fees deposited by the plaintiff is directed to be refunded to the plaintiff.

8. Let a Certificate of refund of full Court Fees be issued in favour of the plaintiff by the Registry.

9. Accordingly, the present suit is dismissed as withdrawn. The pending applications also stand disposed of.

10. Next date of hearing, i.e., 26th February, 2026 stands cancelled.

MINI PUSHKARNA, J

FEBRUARY 4, 2026/KR