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

+ **CS(COMM) 1076/2025 & I.A. 24994/2025**

SILVERMAPLE HEALTHCARE SERVICES PRIVATE LIMITED

.....Plaintiff

Through: Ms. Ritu Gupta, Mr. Vaibhav and Ms.
Kavya Singh, Advocates alongwith Mr.
Praveen Dutt Agarwal, AR.

versus

DESAI HOSPITALS VENTURES LLP & ORS.Defendants

Through: Ms. Samapika Biswal and Ms. Soumya
Sannidhanam, Advocates for D-1 to 3.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **12.02.2026**

I.A. 4051/2026 (under Order XXIII Rule 1 r/w Section 151 CPC)

1. This is an application under Order XXIII Rule 1 read with Section 151 of the Code of Civil Procedure, 1908, and Section 16A(i) of the Court Fees Act, 1870 filed on behalf of the plaintiff seeking withdrawal of the present Suit in terms of the Settlement Agreement dated 18.12.2025 with a request for refund of Court Fees.
2. Learned counsel for the parties submit that parties have been able to settle the disputes amicably and recorded the terms of Settlement into writing *vide* the Settlement Agreement dated 18.12.2025, which has been appended to the application.
3. The said Settlement Agreement dated 18.12.2025 is taken on record.
4. The parties are bound by the terms of the Settlement.
5. The parties also submit that the compliances enumerated in the terms of the Settlement Agreement have already been complied with and nothing remains.



6. Learned counsel for the plaintiff submits that on said basis, the plaintiff may be permitted to withdraw the present Suit under Order XXIII Rule 1 read with Section 151 of Code of Civil Procedure, 1908.

7. Since, the parties have been able to settle the disputes out of the Court, the Court Fees in terms of Section 16A(i) of the Court Fees Act, 1870, may be refunded to the plaintiff upon completion of the formalities in terms of the rules.

8. In view of the above, having regard to the facts of the case the Suit alongwith pending applications is disposed of as withdrawn under Order XXIII Rule 1 read with Section 151 of the Code of Civil Procedure 1908.

9. The next date of hearing before the Joint Registrar (Judicial) i.e. 07.04.2026, stands cancelled.

TUSHAR RAO GEDELA, J

FEBRUARY 12, 2026

Sumit