

CNR No:HRSO020003692025 CASE No:CS-267-2025

Kuldeep Singh Vs. Kushal Dagar

Present:- Plaintiff Kuldeep in person with Sh. Varun Gulia, Advocate.  
Sh. Yudhvir Singh, Advocate for defendant.

Today, the case is fixed for evidence of plaintiff. At this stage, plaintiff Kuldeep has suffered the statement that compromise has been effected with the defendant, therefore, he does not want to pursue the present suit and wants to withdraw the same and further he requested for refund of court fee. Separate statement to this effect recorded. Heard. In view of statement of plaintiff, the present suit is hereby, **dismissed as withdrawn.**

The Hon'ble Apex Court held that whether the parties to a litigation get their dispute settled by invoking Section 89 CPC or they get the same settled between themselves without invoking Section 89 CPC. The party paying court fees in respect thereof should be entitled to refund of court fees as provided under Section 16 of the Court Fees Act, 1870. Also in the judgment of **Pradeep Sonawat Vs. Satish Prakash CR No.89 of 2014 decided on 28 January, 2015**, the Hon'ble Punjab and Haryana High Court while referring the judgment of **Tarun Juneja and others Vs. Hukam Singh CR No.874 of 2009 decided on 15.09.2009** observed that on conjoint reading of the act it may be observed that the intention of the legislature was to extent a twin relief to the parties i.e. to get the matter settled and in case it is settled to refund the court fees affixed by the plaintiff on the plaint. The motive behind insertion of this provision was to encourage settlement of disputes with the media of lok adalat. It is felt that whether the compromise is with the persuasion of the court or amongst the parties by themselves or otherwise invocation of provision of Section 16 of Court Fee Act should be made in all cases so that settlement by way of alternative dispute resolution mechanism are encouraged. Accordingly, in view of the aforesaid legal position the present suit is hereby dismissed as withdrawn and court fees be refunded to the plaintiff. Concerned Ahlmad is directed to issue an Authorization Certificate in this regard in favour of the plaintiff. File be consigned to record-room after due compliance.

(Dr. Deepti)  
CJ(SD), Sonapat  
UID No.HR 0306

Date of order :02.07.2026  
Manish Kumar