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

+ **CS(OS) 328/2022**

**DIWAN SAHEB FASHION PVT LTD**

.....Plaintiff

Through: Mr. Jai Sahai Endlaw and Ms.  
Shambhavi Kala, Advocates

versus

**VIJAY BHUSHAN & ORS.**

.....Defendants

Through:

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

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**17.02.2026**

**I.A. 4471/2026**

1. The present application under Section 151 of CPC read with Section 16-A of Court Fees (Delhi Amendment) Act, 2010 has been filed on behalf of the Plaintiff seeking refund of Court Fees.
2. Material on record indicates that the Plaintiff filed an Application being I.A. No. 366/2026 before this Court seeking unconditional withdrawal of the instant Suit. Subsequently, on 08.01.2026, this Court allowed the said Application and the Suit was disposed of as withdrawn, with liberty granted to the Plaintiff to move a separate Application seeking refund of the entire Court Fees.
3. *Apropos* to the Order dated 08.01.2026, the Plaintiff has approached this Court by filing the present Application for refund of the Court Fees.
4. This Court has noted that on 06.01.2026, the Legislative Assembly of



the Delhi Parliament passed an amendment to Section 16 of the Court Fees Act, 1870, permitting the refund of 100% court fee to the Plaintiff in the event of settlement of disputes by the parties to the suit and the omission of Section 16A, which was inserted *vide* the Court Fees (Delhi Amendment) Act, 2010.

5. Pertinently, since it was noted by this Court in the Order dated 08.01.2026, that the Suit is being withdrawn on the basis of mutual settlement of disputes between the parties, reference is also made to the judgment of a Division Bench of this Court in Nutan Batra v. Buniyaad Associates, **2018 SCC OnLine Del 12916**.

6. With the above observations, the present Application is allowed.

7. Let the Court Fees be refunded back to the Plaintiff forthwith

8. The present Application is disposed of in the aforesaid terms.

**SUBRAMONIUM PRASAD, J**

**FEBRUARY 17, 2026**

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