

12.

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

+ CS(OS) 1003/2013 & IA No.8666/2013

MICROSOFT CORPORATION & ANR Plaintiff
Through: Mr. Ravin Gargotia, Advocate

versus

SHAIKH MUSHTAQ ALI AHMED & ANR Defendants
Through: Mr. Ankur Goel, Advocate for D-2.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
% 06.04.2015

1. Pursuant to the order dated 12.9.2014, whereunder the parties were referred to the Delhi High Court Mediation and Conciliation Centre for exploring the possibility of arriving at a negotiated settlement, a Settlement Agreement dated 17.03.2015 has been placed on record.

2. Counsels for the parties points out that the terms and conditions of settlement have been set out in para 6 of the Settlement Agreement, whereunder the defendant No.2 has acknowledged the plaintiffs to be the owner of all the intellectual property rights as claimed by them in the suit and has undertaken to use the licensed version of the plaintiffs' software programmes.

3. Counsel for the defendant No.2 states that his clients have

already executed a User Licence Agreement with the plaintiffs and purchased the requisite software programmes upon payment of dues and taxes. Counsel for the plaintiffs confirms the said position.

4. The Court has perused the Settlement Agreement. The same has been signed by the constituted attorneys of the parties and their respective counsels as also by the learned Mediator. Enclosed with the Settlement Agreement is a General Power of Attorney executed in favour of the authorized signatory of the Settlement Agreement.

5. As the counsels for the plaintiffs and the defendants jointly state that they have arrived at the aforesaid settlement of their own free will and volition and without any undue influence or coercion from any quarters, there appears no legal impediment in accepting the settlement. The Settlement Agreement is taken on record and the parties shall remain bound by the terms and conditions of the said settlement.

6. The suit is decreed in terms of the Settlement Agreement.

7. The suit is disposed of along with the pending application, while leaving the parties to bear their own expenses.

8. File be consigned to the record room.

HIMA KOHLI, J

APRIL 06, 2015/sk

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