

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

+ **CS(OS) 1797/2014 & IAs No.11346-47/2014**

Decided on : 22.01.2015

IN THE MATTER OF:

SIEMENS PRODUCT LIFECYCLE MANAGEMENT SOFTWARE INC

& ANR

..... Plaintiffs

Through : Mr. Arjun Ranganathan, Advocate

versus

M.V ASHOK & ANR

..... Defendants

Through : Mr. Abhimanyu Walia, Advocate

CORAM

HON'BLE MS.JUSTICE HIMA KOHLI

HIMA KOHLI, J.(Oral)

I.A.No.1578/2015 (joint application u/O XXIII R-3 CPC)

1. The present joint application has been filed by the parties stating *inter alia* that during the pendency of the present proceedings, they have arrived at an out of court settlement. The terms and conditions of the settlement are set out in para 2 of the application.

2. Counsels for the parties state that in terms of the settlement arrived at between the parties, the defendants have purchased two licences in respect of the plaintiffs' software and have undertaken to delete the hard drives of the seized computer systems of all illegal/pirated/unlicensed software of the plaintiffs. The remaining terms and conditions of the settlement have also been detailed in the application.

3. The Court has perused the application. The same has been signed by the authorized representatives of the plaintiffs No.1 & 2 and the defendants No.1 & 2, as also by their respective counsels. The application is supported by the affidavits of the authorized signatories of the plaintiffs and the defendant No.1 in person and as Director of the defendant No.2/company.

4. As the counsels for the parties state that the parties 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 same. The parties shall remain bound by the terms and conditions of the settlement.

5. The application is allowed and the suit is decreed in terms of the said settlement. The suit is disposed of, along with the pending applications, while leaving the parties to bear their own costs.

6. The date already fixed in the case, i.e., 5.2.2015, stands cancelled.

7. File be consigned to the record room.

JANUARY 22, 2015
sk/rkb

(HIMA KOHLI)
JUDGE