

\$~40.

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

+ CS(OS) 1662/2013

AUTODESK INC & ORS Plaintiffs

Through: Ms. Arundhati Gopal, Advocate

versus

SUDESH RAI & ANR

..... Defendants

Through: Mr. Ankur Goel, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% **25.08.2015**

I.A. 17276/2015 (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 suit, they have been able to arrive at an out of court negotiated settlement, the terms and conditions whereof have been set out in para 4 of the application.
2. Counsels for the parties state that the defendants have given a series of acknowledgements/undertakings to the plaintiffs and in lieu thereof, the plaintiffs have agreed to withdraw the contempt petition filed against the defendants and forgo the reliefs prayed for in prayer clause 41(B) (C) and (D) of the plaint. Further, the defendants have agreed to pay a sum of Rs.5 lacs to the plaintiffs towards the litigation expenses.
3. Counsel for the defendants hands over a demand draft bearing

No.000060 dated 10.08.2015 drawn on HDFC Bank in favour of the counsel for the plaintiffs for a sum of Rs.5 lacs, which is duly accepted. Counsels for the parties jointly state that the suit may be decreed in terms of the settlement recorded in the present application.

3. The Court has heard the counsels for the parties and examined the averments made in the application. The same has been signed by the plaintiffs and the defendants through their constituted attorney/authorised signatory as also their respective counsels and is duly supported by the affidavits of the signatories to the application.

4. As counsels for the parties jointly state that their clients 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 said settlement. The parties shall remain bound by the terms and conditions of the settlement recorded in the application.

5. The suit is decreed in terms of the settlement recorded in the application, while leaving the parties to bear their own expenses.

6. The suit is disposed of, along with the pending application.

7. File be consigned to the record room.

HIMA KOHLI, J

AUGUST 25, 2015
rkb/ap