

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

+ CS(OS) 2392/2014 & IAs No.14938 & 17021/2014

Decided on : 19.01.2015

IN THE MATTER OF:

SSAB TECHNOLOGY AB & ANR. Plaintiffs
Through Ms.Shweta Shree, Mr.Prithvi Singh,
Mr.Rajeswar Nandan, Advocates

versus

P.E.RAMAKRISHNAN & ANR. Defendants
Through Ms.Julien George, Advocate

**CORAM
HON'BLE MS.JUSTICE HIMA KOHLI**

HIMA KOHLI, J.(Oral)

I.A. 1162/2015 (joint application u/O XXIII R 3 CPC)

1. The present application has been jointly filed by the parties stating *inter alia* that they have arrived at an out of court settlement during the pendency of the present proceedings.

2. The terms and conditions of the settlement have been reduced into writing in paras 1-11 of the application. In terms of the settlement, the defendants have agreed that the reliefs prayed for by the plaintiffs in para 29(a) & (b) may be granted in their favour. Further, the defendants have offered to pay a sum of ₹3,00,000/- to plaintiffs and in lieu thereof,

the plaintiffs have agreed to give up the reliefs as prayed for in para 29(c), (d), (f) & (g) of the plaint.

3. Counsel for the defendants states that the defendants have undertaken to destroy all the counterfeit plates bearing the plaintiffs' trademarks and all the seized stencils in the presence of the plaintiffs' representative within 90 days from today. The defendants shall abide by the undertaking as recorded in para 4 of the application.

4. Counsels for the parties jointly state that the sum of ₹3,00,000/- has already been tendered by the defendants to the plaintiffs and therefore, the present suit may be decreed, in terms of the settlement.

5. The Court has perused the present application. The same has been signed by the authorized representatives of the plaintiffs, the defendant No.1 for self and as the Managing Partner of the defendant No.2 as also their respective counsels. The application is supported by the affidavits of the aforesaid parties.

6. As the counsels for the parties jointly state that the parties have arrived at an out of Court 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 settlement is taken on record. The parties shall remain bound by the terms and

conditions of the settlement. The application is allowed and the suit is decreed in terms of the conditions laid down therein, while leaving the parties to bear their own costs.

7. The suit is disposed of alongwith the pending applications.

The date already fixed, i.e., 9.2.2015 stands cancelled.

JANUARY 19, 2015
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(HIMA KOHLI)
JUDGE