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

+ CS(OS) 1737/2015 & IA No.12187/2015

MICROSOFT CORPORATION & ORS ..... Plaintiffs  
Through : Mr. Ravin Galgotia, Advocate

versus

G K PILLAI & ANR ..... Defendants  
Through : Mr. N. Venkatachalam, AR of  
defendants in person.

**CORAM:**

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

**ORDER**

% **30.10.2015**

**I.A.22826/2015 (joint application u/O XXIII R 3 CPC)**

1. The present compromise 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, whereunder the defendants have acknowledged the plaintiffs to be the owners/proprietors of all the intellectual property rights in various software programmes developed by the plaintiffs. The defendants have also given some undertaking to the plaintiffs and have agreed to pay a sum of Rs.2.00 lacs to Business Software Alliance, a non-profit organization of which the plaintiffs are members.

2. Counsel for the plaintiffs states that a sum of Rs.2.00 lacs has already been deposited by the defendants with the Business Software Alliance and in view of the undertakings given by the defendants, the plaintiffs have agreed to forego the claims of damages, delivery up

and rendition of accounts, as prayed for in the suit.

3. Counsels for the parties jointly state that in view of the settlement arrived at between the parties, the suit may be decreed.

4. The Court has pursued the present application. The same has been signed by the constituted attorney of the plaintiffs and the authorized representative of the defendants No.1 & 2, who is present in Court. The application is supported by the affidavits of the signatories to the application. As counsels for the plaintiffs and the defendants 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 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 arrived at and recorded in the application, while leaving the parties to bear their own costs. Decree sheet be drawn accordingly.

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

7. File be consigned to the record room.

**HIMA KOHLI, J**

**OCTOBER 30, 2015/sk**