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

+ RFA(OS)(COMM) 1/2016

MICROSOFT CORPORATION & ANR

..... Appellants

Through

Ms Safia Said with Mr Amlan J. Ray,
Advocates.

versus

SUJAN KUMAR & ORS

..... Respondents

Through

Mr Pranay Agrawala, Advocate.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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03.05.2016

CM No.16239/2016

This is an application under Order XXIII Rule 3 Read with Section 151 of the Code of Civil Procedure, 1908 jointly filed on behalf of the appellants/plaintiffs and respondents/defendants.

The parties have settled. The terms of the settlement are recorded in paragraph 2 of this application itself. The said application has been signed by the authorized representatives of the plaintiffs and defendants. The requisite Board Resolutions are annexed alongwith the application. The undertakings given by the respondents/defendants in paragraph 2(a) of the said application are accepted and taken on record. The respondents/defendants have handed over a sum of Rs 10,00,000/- by way of a demand draft in favour of Saikrishna & Associates in terms of paragraph 2(c) of the application. The learned counsel for the appellants/plaintiffs acknowledges receipt of the said sum of Rs 10,00,000/-.

In view of the fact that the payment has been made and the parties have settled, the computer systems which have been taken into custody by the Local Commissioners stand released to the respondents/defendants and they shall be entitled to remove the seals and use the computer systems. The *superdari* stands discharged.

We have gone through the terms of settlement and we find the same to be lawful. Affidavits in support of the settlement have also been filed on behalf of each of the parties. The compromise/settlement is taken on record. Parties shall be bound by the same. The decree be prepared in terms of the settlement/compromise.

The appeal is disposed of in terms of the said decree.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

MAY 03, 2016
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