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

+ **CS(COMM) 77/2016 and I.A. 1597/2016**

ENEROIL OFFSHORE DRILLING LTD Plaintiff
Through: Ms. Namrita Kochhar, Advocate with
Ms. Neha Khanduri, Advocate

versus

CEN TEK LIMITED Defendant
Through: Mr. Aditya Gupta, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
08.09.2016

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I.A. 10955/2016 (joint application u/O XXIII R 3 CPC)

1. The present application has been jointly filed by the parties stating *inter alia* that during the pendency of the suit proceedings, they have been able to arrive at an out of court settlement.
2. The terms and conditions of the settlement have been set out in para 2 of the application, whereunder the plaintiff has undertaken that it has not been using Boron steel or its equivalent for the manufacture of its single piece centralizers or committed any other act to infringe the defendant's patent No.237022, during its term. The plaintiff has also confirmed that it has been using spring steel or its equivalent for manufacturing its products. The remaining terms and conditions of the settlement have been set out in paras 2(c) to (e). Counsels for the parties state that the suit may be disposed of in terms of the settlement recorded in the present application.

3. The Court has pursued the present application. The same has been signed by the authorized representatives of the plaintiff and the defendant and their respective counsels and is 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 settlement. The parties shall remain bound by the terms and conditions of the settlement recorded in the application.

5. The suit is disposed of alongwith the pending application, while leaving the parties to bear their own costs.

6. File be consigned to the record room.

HIMA KOHLI, J

SEPTEMBER 08, 2016

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