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

+ **CS(COMM) 218/2016**

MERCK SHARP & DOHME CORP& ANR. Plaintiffs

Through: Mr. Pravin Anand, Ms. Tusha
Malhotra and Ms. Udit M. Patro,
Advocates.

versus

MR. ABHAYAKUMAR DEEPAK & ORS. Defendants

Through: Mr. R.Suresh, CEO of Defendant no.
2.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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05.05.2016

I.A.No.5583/2016 (U/o 23 Rule 3 CPC) and CS(COMM) No.218/2016

1. This is a joint application under Order 23 Rule 3 CPC filed by the plaintiffs and the defendant nos. 1 & 2 in the suit for recording of compromise entered into between them. Counsel for the plaintiff states and accordingly, the suit is not pressed so far as defendant no. 3 is concerned.

2. The subject suit is a suit alleging infringement of registered Patent no. 209816 of the plaintiffs and for reliefs of injunctions, damages etc.

3. The joint application is signed by the plaintiffs, defendant no. 1 and

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the Executive Officer of the defendant no. 2. Power of attorney on behalf of the defendant no. 2/company has been given to the defendant no. 1 for the purpose of the present compromise application. Defendant no. 1 is the Managing Director of the defendant no. 2. In view of the fact that there is therefore an Agreement in writing between the plaintiffs and defendant nos. 1 & 2 settling the disputes of the suit as per the terms stated in this compromise application, the compromise application is allowed and the suit is disposed of as per the terms recorded in this compromise application and which would form the part of the decree. Amended memo of parties filed with the amended plaint is taken on record.

4. Application and suit are disposed of accordingly. Parties are left to bear their own costs.

VALMIKI J. MEHTA, J

MAY 05, 2016
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