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

+ **CS(COMM) 451/2016**

MICROSOFT CORPORATION & ANR Petitioner
Through: Mr. Saikrishna Rajagopal, Amod
Singh, Safia Said, Amlan J Ray,
Advocates

versus

MR ABHINAV SINGH & ANR Respondent
Through: Mrs. Pratibha Singh, Sr. Adv. with
Mr. Himanshu Bagai and Nikhita,
Advocates

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

% **31.05.2016**

The parties have arrived at a settlement. It has been agreed that the defendant shall make purchase of the following software products of the plaintiff:

Part No.	Description	QTY
FQC-09478	WinPro 10 SNGL OLP NL Legalization GetGenuine	3850
P73-06285	WinSvrStd 2012R2 SNGL OLP NL 2Proc	110
7NQ-00563	SQLSvrStdCore 2014 SNGL OLP 2Lic NL CoreLic Qlfd	18
R18-04277	WinSvrCAL 2012 SNGL OLP C Udevice CAL	4000
021-10554	OfficeStd 2016 SNGL OLP NL	250
065-08572	Excel 2016 Sngl OLP NL	450
077-07130	Access 2016 Sngl OLP C	25

It has been further agreed that the defendant shall make the said purchase positively by 15.06.2016, i.e. by that date not only purchase orders would be placed on an authorised dealer of the plaintiff, but also the payment in respect of the products purchased shall be made.

It has been further agreed that the amount of Rs.6 crores deposited by the defendants in this court may be forthwith released to the defendants. It is directed accordingly.

The defendants shall continue to use its computer systems inspected by the Local Commissioner.

It has been further agreed that in case the defendant does not make the purchase of the aforesaid software packages by 15.06.2016, it shall be open to the plaintiff to approach this court during vacations to seek interim protection.

The parties have agreed that software audit, after one year be conducted by an auditor appointed by the plaintiff. The defendant shall permit the plaintiff to conduct such an audit at the cost of the plaintiff, as and when called upon, as per mutual agreement.

The defendant shall make payment of the legal fee incurred by the plaintiff amounting to Rs.18 lacs, as agreed, on or before 15.06.2016. The said payment shall be made in the name of the plaintiff's counsel for further transmission to the plaintiff.

The suit stands disposed of in the aforesaid terms. The settlement shall continue to bind the parties. Dasti.

VIPIN SANGHI, J

MAY 31, 2016

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