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

+ CS(OS) 2168/2013

VRINGO INFRASTRUCTURE INC & ANR Plaintiffs
Through Mrs.Prathiba M. Singh, Sr. Adv.
with Ms.Saya Choudhary,
Mr.Ashutosh Kumar, Ms.Sutapa
Jana, Mr.Adithya & Mr.Shobhit
Choudhry, Advs.

versus

XU DEJUN & ORS Defendant
Through Mr.Sanjeev K. Tiwari, Adv. with
Ms.Valini Panta & Mr.Prateek
Sehrawat, Advs.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER
% **22.01.2016**

I.A. No.1037/2016 (u/o XXIII R.3 CPC) and
CS(OS) No.2168/2013, I.A. Nos.17929/2013, 2336/2014,
7560/2014, CC No.26/2014 and CCP(O) No.21/2014

The plaintiffs filed the suit for permanent injunction restraining infringement of rights in registered Patent No.IN 243980 against the defendants. Upon service, defendants No.2 & 3 filed the counter-claim challenging the validity of the suit patent.

During the pendency of the proceedings, the parties have settled their disputes. Therefore, the abovementioned joint application has been filed by the parties, i.e. plaintiff and defendants No.2 & 3, under Order XXIII Rule 3 read with Section 151 CPC for recording the terms and conditions of the settlement and passing an appropriate order.

The terms and conditions of the settlement are mentioned in paras 3 to 9 of the application. The application is duly signed by the parties as well as their respective counsel. The same is also supported by the affidavits of the parties. The parties shall be bound by the terms and conditions of the settlement.

In view of the settlement arrived at between the parties, the suit of the plaintiff and the counter-claim of the defendants are disposed of. The direction is also issued to the Registrar General of this Court to release the Bank Guarantee bearing No.LG285011300144 dated 20th December, 2013 in favour of defendant No.3. The order passed earlier, whereby the directions were issued to Customs Authorities, is withdrawn and the Custom Authorities are directed to discontinue intimating the plaintiffs regarding ZTE's consignments imported into India – whether by defendant No.2 or any other importer from defendant No.3. Accordingly, the directions issued by the Division Bench of this Court vide consent order dated 12th December, 2013 in FAO(OS) No.573/2013 shall no longer remain in operation.

A decree be drawn accordingly. The application shall form part of the decree.

The present application as well as other pending applications also stand disposed of.

Dasti, under the signatures of the Court Master.

MANMOHAN SINGH, J.

JANUARY 22, 2016/ka