

\$~3

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

+ **CS(COMM) 72/2016**

TEKLA CORPORATION & ANR Plaintiffs

Through: Mr Ravin Galgotia, Advocate.

versus

MR GANGA ESWARAN Defendant

Through: Mr Anukul Raj and Ms Nikita Raj,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **08.03.2017**

IA No.1535/2016

This is an application seeking enlargement of time for filing the Court Fees. The Court fees has since been paid and the application is infructuous. The same is disposed of accordingly.

IA No.3070/2017

This is an application filed by the plaintiffs under Order 6 Rule 17 CPC, *inter alia*, requesting for the change of name of the plaintiffs and consequential amendments. The learned counsel for the plaintiffs/applicants submits that the name of plaintiff no.1 is changed from 'Tekla Corporation' to 'Trimble Solutions Corporation' and the name of plaintiff no.2 has changed from 'Tekla India Pvt. Ltd.' to 'Trimble Solutions India Pvt. Ltd.' The learned counsel for the defendant had no objection if the application is allowed. Accordingly, the application is allowed. The amended memo of

parties and the amended plaint filed along with the application is taken on record.

The application stands disposed of.

IA No.3001/2017

This is an application filed by the parties under Order 23 Rule 3 CPC praying for a decree be passed in terms of the settlement arrived at between the parties. The application discloses that the defendant has agreed to procure two valid licences for the plaintiffs software, “Tekla Structures”, to validate their use of the said software. The defendant has also agreed to ensure that only licensed version of the plaintiffs' software are installed in his computer systems for business purposes. The plaintiffs have agreed to give up their claims for delivery, rendition of accounts and damages as sought in the plaint.

The above settlement is lawful and, accordingly, the decree is passed in terms of the settlement as recorded in the application.

Let a decree sheet be drawn up. The application shall form part of the decree sheet.

CCP(O) No.16/2016

In view of the settlement arrived at between the parties, the petitioners do not wish to press the present petition and the same is dismissed as withdrawn.

VIBHU BAKHRU, J

MARCH 08, 2017
MK