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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 696/2013 & CC 2/2014

SUGEN INC AND ORS

Through

..... Plaintiffs

Mr. Pravin Anand with Ms. Tusha
Malhotra and Ms. Rashi Punia,
Advocates

versus

DHARMESH SHAH AND ANR

Through

..... Defendants

Mr. Guru Nataraj and Mr. Praveen
Singh, Advocates**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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20.12.2017**I.A. 15411/2017**

Present joint application has been filed under Order 23 Rule 3 read with Section 151 CPC. The same is duly signed by learned counsel for the plaintiffs and defendants as well as by the parties to the litigation.

Present application is also supported by affidavits of authorized representative of the plaintiffs and the defendant no. 1 who is also the Director of the defendant no. 2.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the present settlement application being I.A. 15411/2017.

Both the learned counsel further assure and undertake to this Court that the parties shall comply with the settlement terms mentioned in the present settlement application.

Learned counsel for the defendants states that the defendants have not sold any product infringing the impugned patent till date.

The aforesaid statements, assurances and undertakings as well as undertakings given by learned counsel for the parties are accepted by this Court and parties are held bound by the same.

This Court has also perused the compromise application and is of the opinion that the same is lawful.

Consequently, the suit is decreed in accordance with paragraph 30(a) of the plaint and in terms of the settlement application being I.A. 15411/2017, which is marked as Ex. C-1. Registry is directed to prepare a decree sheet accordingly.

With the aforesaid observations, present application is allowed and the suit and Counter Claim No. 2/2014 stand disposed of. The interim order dated 16th April, 2013 stand confirmed. The next dates of hearing i.e. 16th April, 2013 and 3rd October, 2016 stand cancelled.

MANMOHAN, J

DECEMBER 20, 2017

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