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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(OS) 2790/2014**  
**ACEPROBE TECHNOLOGIES(INDIA)**  
**PVT LTD & ANR**

..... Plaintiffs

Through : Mr.Anand Grover, Sr Advocate with  
Mr.Saurabh Chauhan and Mr.Varun  
Jain, Advocates.

versus

**SQUENOM INC USA AND ORS**

..... Defendants

Through : Mr.Munish Mehra, Advocate for  
defendant Nos.1, 2, 3, 4, & 6.  
Ms.Astha Joshi, Advocate for  
defendant No.5.

**CORAM:**

**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

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**14.07.2017**

**IA No.7640/2017**

This is an application under Order 23 Rule 3 of the CPC moved by both the parties pursuant to a memorandum of settlement dated 29.06.2017 and for drawing up of a compromise decree.

In terms of said settlement the defendant Nos.1, 2, 3, 4 & 6 needs to be deleted from the array of parties and an amount of Rs.50,00,000/- is payable by defendant No.5 to plaintiff.

Learned counsel for defendant No.5 today had tendered a draft bearing No.418084 dated 11.07.2017 drawn in State Bank of India to the tune of Rs.49,86,674/- to the plaintiff in full and final settlement,

as per MOS and it has been received by learned senior counsel for plaintiff. The plaintiff has agreed to give up all its claim as stated in para No.7 of this application of settlement. Hence, defendant Nos.1,2,3,4 & 6 are ordered to be deleted from the array of parties.

In view of the submissions made, the application is allowed. The parties shall be bound by the terms and conditions of the memorandum of settlement Ex.C-1 and they undertake through their counsels to abide by the same. The suit of the plaintiff is thus disposed of having been settled in terms of memorandum of settlement dated 29.06.2017, which terms shall form part of the decree.

The pending miscellaneous applications are also disposed of having become infructuous. Parties to bear their own costs.

The date already fixed i.e. 09.08.2017 stands cancelled.

**YOGESH KHANNA, J**

**JULY 14, 2017**

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