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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 427/2017

MICROSOFT CORPORATION & ANR. Plaintiffs
Through: Mr. Ravin Galgotia, Advocate.

versus

VIVEK KULKARNI & ORS. Defendants
Through: Mr. Dhawesh Pahuja, Advocate with
Mr. Joseph, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER

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28.08.2017

I.A. 9726/2017 in CS(COMM) 427/2017

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 constituted attorney of the plaintiffs and the authorized signatory of the defendants.

Both the learned counsel state that the matter has been compromised in accordance with the terms mentioned in the compromise application being I.A. 9726/2017.

Today, learned counsel for defendants has handed over to learned counsel for plaintiff a cheque bearing No.583499 dated 16th August, 2017 drawn on AXIS Bank Ltd., New Delhi, for an amount of Rs.2,00,000/- in

accordance with para 1(c) of the compromise application.

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

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 the compromise application, a copy of 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 all pending applications stand disposed of. The interim order dated 31st May, 2017 stands vacated.

The next dates of hearing i.e. 31st October, 2017 and 23rd November, 2017 stand cancelled.

MANMOHAN, J

AUGUST 28, 2017

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