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

+ **CS(OS) 3210/2015**

MICROSOFT CORPORATION & ORS

..... Plaintiff

Through: Mr. Munish Mehra and Ms.
Arundhati Gopal, Adv.

versus

MR ASHISH LUTHRA & ORS

..... Defendant

Through: Mr. Akshat Gupta and Debopriyo
Pal, Adv.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

11.04.2017

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I.A. No.4285/2017

This application has been jointly moved by the parties Order 23 Rule 3 CPC to record their settlement. The application is signed by the parties and their respective counsels. It is also supported by the affidavit of Mr. Vishal Ahuja, the constituted attorney of the plaintiff and Mr. Mukesh Balodhi, the authorised signatory of defendant nos.2 and 3.

Under the settlement, the defendant has agreed to acquire the licenses from the plaintiff in respect of the software in question and also pay a sum of Rs.3 lacs to the plaintiff towards partial costs of the present suit. Though under the settlement, the said payment had to be tendered today, learned

counsel for the defendant seeks ten days time to make the said payment. The plaintiff is agreeable to the same on the assurance given by the defendant that the payment shall positively be made within ten days.

The defendants shall remain bound by their assurance and undertaking given to the court that the payment of Rs.3 lacs shall be made within ten days in terms of the settlement.

The terms of the settlement appear to be fair, just and reasonable and I see no impediment in accepting the same. Accordingly, the suit is disposed of as settled in terms of the settlement, which shall continue to bind the parties. The present application shall form part of the decree.

VIPIN SANGHI, J

APRIL 11, 2017

sr