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

+ CS(COMM) 145/2017 & I.A. 8154/2015

AUTODESK INC & ANR ... Plaintiffs
Through: Mr Dhavish Chitkara, Advocate

versus

W AHMAD & ANR ... Defendants
Through: Mr Abdhesh Chaudhary with
Mr Yogesh Kumar, Advocates

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
12.03.2018

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The present suit has been filed for permanent injunction, restraining infringement of copyright, delivery up and rendition of accounts.

On 19th July, 2017, the present suit was referred to the Delhi High Court Mediation and Conciliation Centre.

Mediation in the present case has been successful through the efforts of Ms Puja Anand, Advocate-Mediator.

A Settlement Agreement dated 15th January, 2018 has been executed between the parties.

It is pertinent to mention that the Supreme Court in *Afcons Infrastructure Ltd. Vs. Cherian Varkey Construction Co. (P) Ltd., (2010) 8 SCC 24*, while dealing with Section 89 of the CPC observed that the settlement agreement will have to be placed before the Court for recording it

and in disposing of the suit in its terms, the Court should apply the principle of Order 23 Rule 3 of the CPC and make a decree in terms of the settlement in regard to the subject matter of the suit, to make such settlement effective.

This Court is satisfied that the compromise between the parties contained in the aforesaid Settlement Agreement satisfies the requirements of Order 23 Rule 3 CPC. The compromise contained in the aforesaid Settlement Agreement is lawful and therefore, this Court does not find any impediment in decreeing the present suit in terms of the aforesaid Settlement Agreement.

Consequently, present suit is decreed in terms of the aforesaid Settlement Agreement dated 15th January, 2018 executed between the parties, which is marked as Ex.C-1. Registry is directed to prepare a decree sheet accordingly.

The interim order dated 22nd April, 2015 stands vacated.

With the aforesaid observations, present suit and pending application stand disposed of.

MANMOHAN, J

MARCH 12, 2018

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