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

+ CS(COMM) 167/2018 & I.A.Nos.21841/2015, 22763/2015,
474/2016, 8172/2016, 11288/2016, 9010/2017,
Crl.M.A.No.7935/2016

K S BAINS & ANR

..... Plaintiffs

Through

Mr.Pravin Anand with Mr.Dhruv
Anand, Ms.Udita Patro, Mr.Nischay
Mall, Ms.Sakshi Arora and
Mr.Shantanu Bhardwaj, Advocates.

versus

S CHAKRABORTY & ORS

..... Defendants

Through

Mr.Sammer Jain with Ms.Anu Sura,
Advocates for D-1.
Mr.Alok Sangwan with Mr.Sunny
Kadiyan, Advocates for D-3.
Mr.Raj Kular with Ms.Monalisha
Chowdhury, Advocates for D-4.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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06.02.2019

The present suit has been filed for permanent injunction restraining breach of confidentiality and fiduciary duty, misappropriation of trade secrets, unlawful solicitation of employees/clients, breach of contract, unfair competition, damages and delivery up.

Today learned counsel for the parties state that the parties have arrived at a consensus on the following terms and conditions:-

(i) The defendants state that they are not in possession of any

proprietary confidential information and trade secrets of the plaintiff no.2 and, therefore, have not used any such confidential information and trade secrets for personal or professional gain or to further the business of the defendant no.3 entity.

- (ii) The defendants further state that no proprietary confidential information of the plaintiff no.2 or any information of the plaintiff no.2, which may be considered as a trade secret, has been commercially exploited or disseminated in the past by the defendant nos.1, 2 and 4.
- (iii) Both the parties further undertake that they shall not raise any issues relating to the subject matter of the dispute in the present suit and the present settlement application, against each other before any court, police authority or any other statutory authority in future.
- (iv) The undertakings given herein shall also be binding on all the legal heirs, representatives and assigns-in-business of the defendants herein.
- (v) In consideration of the abovementioned statements made and undertakings given by the defendants, the plaintiffs forego their claims sought under paragraph 52 (B), (D), (E) and (F) of the plaint.

The statements/undertaking given by learned counsel for both the parties are accepted by this Court and the parties are held bound by the same.

Consequently, the present suit along with all pending applications stand disposed of in terms of the above compromise. Registry is directed to prepare a decree sheet accordingly.

MANMOHAN, J

FEBRUARY 06, 2019
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