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

+ **CS(COMM) 749/2018 & I.A. 9694/2024**

ASTRAZENECA AB & ORS

..... Plaintiffs

Through: Mr. Pravin Anand, Ms. Vaishali
Mittal and Mr. Siddhant Chamola,
Advs.

versus

P KUMAR & ANR

..... Defendants

Through: Mr. Samik Mukherjee, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

01.05.2024

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I.A. 9694/2024

1. This joint application has been filed under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 by the parties placing on record the terms of settlement. The application has been jointly signed by the authorised signatories of the parties as well as countersigned by the respective counsels.

2. The terms of settlement are as under:

a. The Defendant No.2 undertakes that it is not infringing the formulation patent i.e. IN 272674;

b. The Defendant No.2 will withdraw the revocation petition ORA/33/2015/PT/MUM seeking revocation of IN209907



which currently stands transferred to the Bombay High Court and numbered as COMMP/861/2022,

- c. The Defendant No.2 also undertakes to withdraw the revocation petition ORA/29/2015/PT/MUM seeking revocation of IN247984 which currently stands transferred to the Bombay High Court and numbered as COMMP/892/2022;
 - d. The Parties agree and undertake that neither the Plaintiffs nor the Defendants shall press for/claim/institute any proceedings for restitution or recovery of any costs or damages in respect of any claims addressed in the present suit;
 - e. Based on the terms above, the Plaintiffs agrees to forego the reliefs in the present suit.
3. This Court has perused the terms of the settlement and finds them to be lawful and acceptable.
 4. Accordingly, a decree is passed in terms of the above settlement.
 5. Decree sheet be drawn up accordingly.
 6. Parties shall be bound by the terms of the settlement.
 7. Suit is disposed of. Pending applications, if any, are rendered infructuous.
 8. In view of the settlement arrived at between the parties, the plaintiff is



entitled to 50% refund of the Court Fees.

9. Registry is directed accordingly.
10. Date already fixed stands cancelled.
11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 1, 2024/MK/sc