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

+ **CS(COMM) 129/2020**

ASTRAZENECA AB & ANR.

.....Plaintiffs

Through: Ms. Vaishali R. Mittal, Mr. Shivang
Sharma and Mr. Siddhant Chamola,
Adv.

versus

SHIV SHIVAM PHARMA & ORS.

.....Defendants

Through: Mr. J. Sai Deepak, Sr. Adv. with
Mr. Mohit Goel, Mr. Sidhant Goel,
Mr. Aditya Goel, Mr. Deepanker
Mishra, Mr. Vivek Pratap Singh
and Mr. Avinash K. Sharma, Adv.
for D-1,2,4 and 6

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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30.05.2025

**I.A. 12984/2025, I.A. 12985/2025, I.A. 12986/2025, I.A. 12987/2025,
I.A. 12988/2025-Order XXIII Rule 3 of CPC**

1. This is a joint application under *Order XXIII Rule 3* of the Code of the Civil Procedure, 1908 (**CPC**) filed on behalf of the plaintiffs and the defendants seeking a consent decree based on the terms of the Settlement Agreement dated 20.03.2025.

2. Learned counsel for the parties submit since the terms of the Settlement Agreement, being confidential in nature, have not been filed, they have handed over a photocopy of the same and submit that both parties herein are in possession of a copy thereof. The afore-mentioned



photocopy of the said Settlement Agreement is returned back.

3. The present application is duly supported by affidavits of the authorized representatives of the plaintiffs and the defendants.

4. Learned counsels of the parties confirm the terms of the settlement and identify the signatures of their respective clients.

5. This Court has perused the terms of settlement as recorded *inter-se* the plaintiffs and the defendants and finds them to be lawful.

6. Accordingly, in view thereof, the present application is allowed and disposed of.

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7. Learned counsel appearing for the plaintiffs, in view of the Settlement Agreement dated 20.03.2025 entered *inter-se* the plaintiffs and the defendants, prays that since the dispute *inter-se* them have been settled, the present suit be decreed in terms as mentioned in the Settlement Agreement dated 20.03.2025, which, due to its confidential nature, has not been filed.

8. Learned counsel for the plaintiffs further submits that since defendant no.3 has neither entered appearance nor filed any response. In any event, it is the case of the plaintiffs as stated in para no.7 of the present application(s) that the plaintiffs undertake not to pursue the present suit against the said defendant no.3. Accordingly, learned counsel for the plaintiffs submits that the plaintiffs do not wish to press for any of the relief(s) against the said defendant no.3.

9. Accordingly, the present suit is decreed in terms of the settlement as recorded in the Settlement Agreement dated 20.03.2025.

10. Registry is directed to draw up Decree Sheet accordingly.



11. Needless to mention that the plaintiffs and the defendants shall remain bound by the terms of settlement as recorded in the Settlement Agreement dated 20.03.2025.
12. Accordingly, in view of the above, the present suit, stands decreed and disposed of.
13. The date already fixed stands cancelled.

SAURABH BANERJEE, J

MAY 30, 2025/Ab