
(2006) 03 DEL CK 0091

In the Delhi High Court

Case No : IA No. 3068 of 2006 in CS (OS) No. 954 of 2005

Autodesk, Inc and Others

APPELLANT

Vs

Mr. Tony Rajmahender and Others

RESPONDENT

Date of Decision : 16-03-2006

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Order 23 Rule 3, 151

Citation : (2006) 03 DEL CK 0091

Hon'ble Judges : Badar Durrez Ahmed, J

Bench : Single Bench

Advocate : Praveen Anand and Keshav Dhakad, for the Appellant; Kirti Uppal, Anil Kher and Kapil Kher, for the Respondent

Judgement

Badar Durrez Ahmed, J.—This is an application under order 23 Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 filed jointly by the plaintiffs and the defendants. The parties have stated in the application that they have amicably settled all the disputes between them. The terms of settlement are set out in detail in the application. The defendants have acknowledged the plaintiffs to be the owners / proprietors of all the Intellectual Property Rights in their software programmes as detailed the plaint in Suit No.953.05. The other terms of the settlement are set out in detail in the application as well as in Annexure-A to the application. The application is marked as Exhibit-C-1. Mr Anand Banerjee, who is the constituted attorney of the plaintiff company, has signed this application on behalf of the plaintiffs and, on behalf of the defendants, it has been signed by the defendants either themselves or through their authorised representatives. The application is also signed by the respective counsel for the parties. The application is supported by the affidavit of the said Mr Anand Banerjee.

2. I have heard the counsel for the parties and have seen the details of the settlement which have been reduced to writing in the application as well as Annexure-A thereof and I find that the same is lawful.

3. Accordingly, the settlement is taken on record. This suit is decreed in terms of the settlement and the terms as set out in Annexure-A to this application. Exhibit-C-1 (this application Along with Annexure-A thereto) shall form part of the decree. The goods of the defendants which were seized pursuant to an order of this court shall be released to the defendants. No orders as to costs.