

\$~27

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

+ CS(OS) 1780/2015

SYMPHONY LTD

..... Plaintiff

Through: Mr. Manish Jha, Mr. Bijal Chattrapati
and Ms. Vandana Anand, Advs.

versus

RACO AUTO PVT LTD & ORS

..... Defendants

Through: Mr. Ankit, Adv. along with defendant
no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **15.07.2015**

Defendant no. 2, who is director of defendant no.1 is present in Court.

Defendant no. 3 is mother of defendant no. 2 and also one of the directors of defendant no.1.

Learned counsel for the defendants, on instructions, submits that defendants are not interested in contesting the suit as they are not manufacturing, selling or distributing the air coolers by using the two designs involved in the present suit. Defendants have already destroyed dies of the impugned design. It is further submitted that defendants are ready to suffer a decree in terms of para 31(a) of the plaint.

Learned counsel further submits that plaintiff may approach competent authority for cancellation of the designs being no. 261025 and

264002 and defendants will not oppose the cancellation thereof.

In view of the statement of learned counsel for the defendants, learned counsel for the plaintiff submits that other reliefs are given up.

Parties shall remain bound by their statements.

In view of the statements made by the learned counsels for the parties, suit is decreed in terms of para 31(a) of the plaint. No order as to costs. Miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

JULY 15, 2015

ga