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

+ **CS(COMM) 89/2016**

MARICO LIMITED

..... Petitioner

Through: Mr. C.M. Lall and Ms. Kripa Pandit,
Advocates

versus

JACK OF ALL THREADS PRIVATE LIMITED

..... Respondent

Through: Mr. Hemant Manjani, Advocate

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
11.05.2016

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Learned counsel for the plaintiff submits that the defendant is not an intermediary as defined in the Information Technology Act. However, the plaintiff submits that since the defendant is willing to suffer a decree in terms of prayer A and B made in the plaint, and the defendant has also filed an affidavit of Mr.Yashvardhan, the Managing Director of the defendant disclosing the systematic changes made by the defendant to ensure that such like violations and infringement do not take place in future, the plaintiff is willing to settle the suit.

Accordingly, the suit stands decreed against the defendant in terms of prayers A and B (with all its sub-clauses) against the defendant. The other

reliefs are not pressed. The defendant shall remain bound by its affidavit dated 18.04.2016 and shall immediately implement the new system stated to have been adopted by it as disclosed in the said affidavit. The same new system shall also be uploaded on its website so that the consumers are able to access the same.

The parties are left to bear their respective costs. Since the suit has been settled prior to commencement of trial, the plaintiff shall be entitled to refund of 50% of the court fee.

VIPIN SANGHI, J

MAY 11, 2016

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