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

+ **CS(OS) 1721/2014 & IAs NO.10951 & 15306/2014**

HARI CHAND ANAND & CO.

..... Plaintiff

Through: Mr.Hemant Singh with
Ms.Mamta R.Jha, Advocates

versus

ANSHUMAN DASH AND ORS.

..... Defendants

Through: Mr. Amit Bansal, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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23.08.2016

1. The present suit for permanent injunction restraining the infringement of trade mark, copyright and rendition of accounts has been instituted by the plaintiff against the defendant No.1 and the defendant No.2 company in respect of the trademark/trade name 'LOiVA', used for sewing machines.
2. Pleadings are complete. Written statement was filed by the defendants in the year 2014.
3. Mr. Amit Bansal, learned counsel for the defendants states on instructions that due to subsequent events that have taken place after filing the written statement, the defendants are now agreeable to the suit being decreed in terms of the prayer clause 29(a). He clarifies that the defendant No.1 who is the Managing Director of the defendant No. 2 company is no longer using the impugned trade mark/trade name 'LOiVA' and steps

have been initiated to wind up the defendant No.2 company for which appropriate applications have been filed with the Registrar of Companies.

4. Mr. Hemant Singh, learned counsel for the plaintiff states that in view of the statement made by the counsel for the defendant to the effect that the defendants are ready and willing to suffer a decree in terms of prayer clause 29(a) & (b) of the plaint, he does not wish to press for the remaining relief at prayer clause 29 (c), (d), (e) & (f).

5. Accordingly, with the consent of the parties, the suit is decreed in favour of the plaintiff and against the defendants in terms of prayer clause 29(a) & (b) of the plaint, while leaving them to bear their own costs.

6. Decree sheet be drawn up accordingly.

7. The suit is disposed of, along with pending applications.

AUGUST 23, 2016
p/mk

HIMA KOHLI, J