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

+ CS(COMM) 261/2016 & IAs.21958/2015 and 5229/2016

ALKEM LABORATORIES LTD Plaintiff

Through Mr. Sagar Chandra and Ms. Surabhi Iyer,
Advocates

versus

AMBALAL SARABHAI ENTERPRISES LIMITED & ORS

..... Defendants

Through Mr. Samreen Khan, Advocate for
defendant no.1.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER

% **25.10.2016**

Plaintiff has filed the present suit for permanent injunction restraining infringement of trade mark, infringement of copyright, passing off, dilution, delivery up, rendition of accounts and damages etc.

Counsel for the parties submit that during the pendency of the suit, the parties have entered into two separate settlements before the Delhi High Court Mediation and Conciliation Centre. Both the settlements were dated 06.09.2016. The first settlement is between the plaintiff and defendants no.1 and 2 and the second settlement is between the plaintiff and defendant no.3. The counsel for the parties submit that the settlement agreements marked Exhibit P-1 and Exhibit P-2 respectively were signed before the Mediator by the parties, the counsel and by the Mediator. Counsel submits that the settlement was entered into without any coercion and by the free will of the parties.

As prayed, the present suit is decreed in terms of Exhibit P-1 and Exhibit P-2, leaving the parties to bear the costs.

Interim orders are confirmed.

All the applications also stand disposed of.

Since the matter has been resolved through mediation, the plaintiff would be entitled to refund of court fee.

The Court appreciates the efforts put in by the counsel, the parties and the Mediator for early resolution of the matter.

G.S.SISTANI, J

OCTOBER 25, 2016

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