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

+ CS(COMM) 1017/2016 & IAs No.9274/2016 (u/O 39 R-1&2 CPC) & 11938/2016 (of defendant for condonation of 27 days delay in filing WS)

M/S JAGRAN MICRO MOTORS LTD Plaintiff
Through: Mr. K. Datta and Mr. Rahul Malhotra,
Advs.

Versus

M/S INVENTURE RETAIL Defendant
Through: Mr. Nitin Mishra, Ms. Akanksha
Rastogi and Ms. Mitali Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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26.09.2016

1. The plaintiff has sued for permanent injunction to restrain the defendant from using the photograph / picture in which the plaintiff claims rights and for ancillary reliefs.
2. Summons of the suit and notice of the application were issued and the defendant has filed a written statement along with IA No.11938/2016 for condonation of 27 days delay in filing thereof.
3. The delay in filing the written statement is condoned and the written statement is taken on record.
4. IA No.11938/2016 is disposed of.
5. The counsel for the defendant states that the use till now by the defendant of the subject photograph / picture was without any knowledge of CS(COMM) 1017/2016

the rights of the plaintiff therein and the defendant shall hereinafter not use the said photograph / picture and has no objection to a decree in terms of the prayer paragraphs (a), (b) & (c) of the plaint being passed forthwith.

6. The counsel for the plaintiff states that the plaintiff is not pressing for the reliefs sought in prayer paragraphs (d), (e) & (f) of the plaint.

7. A decree is accordingly passed in favour of the plaintiff and against the defendant in terms of prayer paragraphs (a), (b) & (c) of the plaint and the suit is disposed of, leaving the parties to bear their own costs.

Decree sheet be drawn up.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 26, 2016

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