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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) No.1341/2016 & IA No.11919/2016 (under Order XXXIX Rules 1&2 CPC).

RETAIL ROYALTY COMPANY AND ANR Plaintiffs

Through: Ms. Sujata Chaudhri with Mr. Ryan
Wilson and Ms. Deepshri Srivastava,
Advs.

versus

SHARP GARUDA FARM EQUIPMENTS PRIVATE LIMITED
AND ANR Defendants

Through: Mr. Sagar Chauhan, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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22.12.2016

1. The counsel for both the plaintiffs and the counsel for both the defendants state that the disputes subject matter of the suit have been settled amicably between the parties on the terms contained in the letter dated 5th December, 2016 of Ms. Sujata Chaudhri IP Attorneys, Advocate for the plaintiffs sent to the defendants and a copy of which is handed over in the Court and taken on record and on which for the purposes of identification Ex.C-1 is put, save for the last bullet point at page 01 thereof which provides for the defendants to pay to the plaintiffs a sum of Rs.3,00,000. It is further stated that the defendants have agreed to change their mark/logo to as shown in Ex.C-2 handed today.
2. The counsel for the plaintiffs states that the time for the defendants to effect the change be also stipulated.
3. The counsel for the defendants states that the change in terms of settlement aforesaid has already been effected.

4. The counsel for the plaintiffs states that the infringing mark/logo is still appearing on the Farm Equipments of the defendants as evident from the website.

5. Be that as it may, it is deemed appropriate to grant time till 31st January, 2017 to the defendants to, if have not already effected the change as agreed, to do the same by then.

6. A decree is passed in favour of the plaintiffs and against the defendants in terms of Ex.C-1 (save for the last bullet point at page 01 of Ex.C-1 which provides for payment by the defendants to plaintiffs of a sum of Rs.3,00,000/-) and Ex.C-2 and today's order.

7. The parties are left to bear their own costs.

Decree sheet be prepared. Ex.C-1, Ex.C-2 and today's order to form part of decree sheet.

Dasti under signature of Court Master.

RAJIV SAHAI ENDLAW, J

DECEMBER 22, 2016

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