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

+ **CS(OS) 3046/2015**

ALKEM LABORATORIES LTD Plaintiff

Through Ms. Srijan Uppal, Advocate

versus

DAKSH PHARMACEUTICALS PVT LTD & ANR Defendants

Through Mr. Kamal Garg, Advocate

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER

% **02.11.2016**

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

Counsel for the parties submit that parties have entered into a settlement agreement before the Delhi High Court Mediation and Conciliation Centre. Copy of the Settlement Agreement has been placed on record, which is duly signed by the representatives of both plaintiff, defendants, by the Mediator and also the counsel. Learned counsel identify the signatures of the parties on the Settlement Agreement which is exhibited as Exhibit P-1. Counsel further submit that the settlement was arrived at out of a free will of the parties. The parties have understood the terms of the settlement. The copies of the Board Resolution and Minutes of the Meeting authorising the representatives to appear before the Mediator and settle the matter have also been annexed. The plaintiff has also been paid a cost of Rs.17,500/- by cheque dated 14.07.2016 by the defendants, which has been duly encashed.

Accordingly, as prayed, the present suit is decreed in terms of Exhibit P-1.

The plaintiff shall be entitled to refund of court fee under Section 16 of the Court Fee Act. The Court appreciates the efforts put in by the counsel, parties and the Mediator for early resolution of the matter. Decree sheet be drawn up accordingly.

IAs.21239/2015 and 21240/2015 also stands disposed of.

G.S.SISTANI, J

NOVEMBER 02, 2016

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