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

+ **CS(COMM) 58/2015 & IA No.26010/2015 (u/O 39 R-1&2 CPC)**

PUMA SE & ANR Plaintiffs

Through: Mr. Manav Kumar, Adv.

Versus

CAPITAL SPORTS PVT LTD & ORS Defendants

Through: Mr. Mukesh Kumar and Ms. Bhavana
Dukoon, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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13.07.2016

1. The plaintiffs have sued for permanent injunction restraining the defendant No.1 and its Directors Mr. Om Prakash Balusing Shekhawat, Mr. Dharampal Bhanaram Mittra and Mr. Urvisha Harisinh Jadhha impleaded as defendants No.2 to 4 from infringing the registered trademark 'PUMA' of the plaintiff and from passing off their goods as that of the plaintiff and for ancillary reliefs.

2. The suit was entertained and interim injunction granted and Court Commissioner appointed.

3. The parties were vide order dated 29th February, 2016 referred to the Mediation Cell of this Court.

4. Mediation has been successful with the efforts of Ms. Shobhana Takiar, Advocate/Mediator and a Settlement Agreement dated 30th March, 2016 stated to be signed by the authorised representative of the plaintiffs and

by the authorised representative of the defendant No.1 and of the other defendants as well as by the counsels for the parties and the Mediator has been received.

5. The counsel for the plaintiffs and the counsel for the defendants support the Settlement Agreement and seek disposal of the suit in terms thereof.

6. I have perused the Settlement Agreement. The compromise recorded therein is found to be lawful and is allowed.

7. The counsel for the plaintiffs states that in terms of Clause 7(E) of the Settlement Agreement the infringing goods seized by the Court Commissioner and handed over on superdari to the defendants are to be destroyed. The counsels state that the same shall be destroyed at the premises of the defendant No.1 in the presence of the representative of the plaintiffs on 19th July, 2016 at 1500 hours.

8. The suit is decreed in terms of the Settlement Agreement which shall form part of the decree sheet, leaving the parties to bear their own costs.

Decree sheet be drawn up.

RAJIV SAHAI ENDLAW, J.

JULY 13, 2016

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