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

+ CS(COMM) 12/2017, IA 129/2017 (under Order XXXIX Rules 1&2
CPC), IA 3069/2017 (of plaintiff u/S 151 CPC)

DABUR INDIA LTD Plaintiff

Through: Ms. Akansha Singh, Mr. Ankit
Arvind, Advocates

versus

CURA PHARMACEUTICALS Defendant

Through: Mr. Umesh Mishra, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

01.12.2017

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1. In this Suit for permanent injunction restraining infringement of registered trademark, copyright and passing off and for ancillary reliefs, the parties were, vide order dated 21st September, 2017, referred to the Mediation Cell of this Court.

2. Mediation has been successful with the efforts of Ms. Aruna Tikku, Advocate Mediator and a Settlement Agreement dated 17th November, 2017 purporting to be signed by the Authorised Representatives of the plaintiff, the defendant, their respective counsels and the Mediator has been received from the Mediation Cell of this Court.

3. The counsel for the plaintiff and the counsel for the defendant support the settlement and seek a decree in terms thereof.

4. I have perused the Settlement Agreement and find the same to be lawful.

5. A decree is passed in favour of the plaintiff and against the defendant in terms of Settlement Agreement which shall form part of the decree sheet, leaving the parties to bear their own costs.
6. The undertakings of the defendant as contained in the Settlement Agreement are also accepted and the defendant and its proprietor Sh.Hemant Sharma are ordered to be bound thereby and cautioned of the consequences of breach thereof.
7. Decree sheet be prepared accordingly. Settlement Agreement and today's order to form part of decree sheet.

RAJIV SAHAI ENDLAW, J

DECEMBER 01, 2017
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