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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 362/2016 & I.A. 12878/2015

DESIGNWISE INDIA PVT LTD Plaintiff

Through Ms. Geetanjali Visvanathan with
Ms. Asavari Jain, Advocates

versus

MR TARUN SHARDA & ANR. Defendants

Through Mr. Jitendra Singh Tanwar with
Ms. Saroj Trivedi, Advocates.
Defendant no. 1 in person.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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28.07.2017

Today, Mr. Jitendra Singh Tanwar, learned counsel for the defendants on instruction of the defendant no. 1, Mr. Tarun Sharda who is personally present in Court, states that defendants have no objection if the present suit is decreed in accordance with paragraphs 31(a) and (b) of the plaint.

Learned counsel for the defendants admits that the plaintiff's mark **TATTVA** is a well known mark. He further states that the defendants shall not use the plaintiff's mark **TATTVA** or any other similar or deceptively similar mark.

Learned counsel for defendants also undertakes to withdraw the trade mark application nos. 2941869 and 2941870 both dated 14th April, 2015

already filed by the defendant with regard to the mark **DECOR TATTVA INC.**

Keeping in view the aforesaid statement and undertaking, learned counsel for the plaintiff does not wish to press the reliefs for rendition of accounts, damages, delivery up, dilution and tarnishment as well as unfair competition.

The statement and undertaking given by both the counsel are accepted by this Court and both the parties are held bound by the same. Consequently, present suit is decreed in accordance with paragraph 31(a) and (b) of the plaint as well as the statement and undertaking given today by learned counsel for the defendants.

The defendants is also directed to pay Rs. 25,000/- as litigation expenses to the plaintiff within a period of eight weeks.

With the aforesaid directions, present suit and pending application stand disposed of. Registry is directed to prepare a decree sheet.

MANMOHAN, J

JULY 28, 2017
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