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

+ **CS(OS) 2766/2012**

BISWANATH HOSIERY MILLS LTD Plaintiff

Through: Mr Sushant Singh, Advocate.

versus

MOHD AZHARUDDIN Defendant

Through: Ms Kamna S. Nagpal, Mr Sumit Nagpal and Ms Nishika Arora, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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18.05.2017

IA No.6081/2017

It is stated that the disputes between the parties have been resolved before the Delhi High Court Mediation and Conciliation Centre (DHCMCC) and a settlement agreement dated 30.03.2017 was entered into between the parties. The learned counsel for the parties pray that the present suit be decreed in terms of said the settlement agreement arrived at between the parties.

The settlement agreement dated 30.03.2017 is placed on record. Paragraph 7 of the said settlement agreement indicates the terms of the settlement. The defendant has acknowledged that the plaintiff is true and lawful owner of the trademark LUX and LUX COZI in respect of hosiery items and related goods included in Classes 23, 24 and 25 of the International Classifications of goods/services under the Trade Marks Act,

1999. The defendant has also acknowledged the registered trademark of the plaintiff. He has further undertaken not to use the same in respect of clothing items or any other goods, which may lead to infringement of those trademarks.

The settlement arrived at between the parties is lawful. Accordingly, the suit is decreed in terms of the settlement agreement dated 30.03.2017. Let a decree sheet be drawn up. The settlement agreement shall form part of the decree sheet.

In view of the above, no orders need to be passed in the pending applications. The same are also disposed of.

VIBHU BAKHRU, J

MAY 18, 2017
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