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

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Judgment delivered on: 28.07.2017

+ **CS(COMM) 868/2016**

M/S CUREWELL DRUGS & PHARMACEUTICALS PRIVATE
LIMITED & ANOTHER Plaintiffs
versus

NEUTEC HEALTHCARE PRIVATE LIMITED Defendant

Advocates who appeared in this case:

For the Plaintiffs : Mr Ajay Kumar Arora

For the Defendant : Mr Sachin Chugh, Director in person

**CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA
JUDGMENT**

28.07.2017

SANJEEV SACHDEVA, J. (ORAL)

CS(COMM) 868/2016 & IA No.8457/2016(stay)

1. Mr Sachin Chug, Director of the defendant Company is present. He has produced his Aadhar Card. Copy of the same is taken on record.

2. The plaintiffs have filed this suit for rendition of accounts and permanent injunction against the defendant for infringement of trade mark, copyright and passing off.

3. The parties were referred to Mediation.
4. The disputes between the parties have been settled through the process of Mediation. The Settlement Agreement dated 05.07.2017 has been executed between the parties.
5. The plaintiffs are represented through counsel and defendant is represented through its Director Mr Sachin Chugh, who is present in Court. They both have confirmed the Settlement.
6. The Settlement Agreement dated 05.07.2017 is signed by the representative of the plaintiffs as well as the Director of the defendant and is supported by A Board of Resolution of the plaintiffs as well as of the defendant. The Settlement Agreement is Exhibited and marked ***Exb C - 1.***
7. The terms of Settlement are recorded in paragraph 6(a) to 6(g) of the Settlement Agreement (Ex.C-1).
8. Learned counsel for the plaintiffs as well as the Director of the defendant submit that decree be passed in terms of paragraph 6(a) to 6(g).
9. I have perused the said clauses and find them lawful.
10. In view of the above, the suit is decreed in terms of Clauses 6(a) to 6(g) of the Settlement Agreement dated 05.07.2017 (Ex.C-1).
11. Clauses 6(a) to 6(g) shall form part of the decree. Decree sheet

be prepared accordingly.

12. Since the Suit has been settled through the process of Mediation, the plaintiffs are entitled to a Certificate authorizing them to obtain refund of the court fee in terms of the Court Fees Act, 1870.

13. The Registry is accordingly directed to issue a Certificate authorizing the plaintiffs to seek refund of the court fees from the appropriate authorities.

14. Order *Dasti* under signatures of the Court Master.

JULY 28, 2017

Sd/

SANJEEV SACHDEVA, J

