

\$~ O-15

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 3423/2014 & IA Nos.22152-53/2014**
DART INDUSTRIES INC & ANR

..... Plaintiffs

Through : Mr.Pranav Narain and Ms.Shruttima
Ehersa, Advocates.

versus

SWASTIK HOUSEWARES & ORS

..... Defendants

Through : Ms.Prachi Gupta, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **31.05.2017**

CS(OS) 3423/2014 & IA Nos.22152-53/2014, 7068/2017

Both the parties have jointly moved IA No.7086/2017 for compromise wherein the defendant Nos.1 to 3 have acknowledged the plaintiffs to be the proprietor of registered design numbers 221424 and 221425 of the Aquasafe bottle and its cap and the defendants undertake not to manufacture/imitate/ sell or otherwise deal with the said designs in future.

The defendants pursuant to the terms of settlement shall disclose the details of the mould maker/manufacturer employed by them to create the moulds used for infringing the products of the plaintiffs. It is agreed by defendants that the articles seized by the Local Commissioner and handed over on *superdari* to them shall be destroyed by the defendants.

It is submitted that the decree may be passed in favour of the plaintiffs in terms of prayer made in para No.32(a) of plaint. The token damages to the tune of ₹ 2.00 Lac, as settled, has already been paid by the defendants to the plaintiffs.

In view of the submissions so made and in view of the application duly signed by the parties, the application is allowed and the parties to remain bound by the terms of the settlement stated therein. Consequently, the suit of the plaintiffs is decreed in favour of the plaintiffs and against the defendants in terms of prayer made in para No.32(a). Decree sheet be prepared. Pending applications stands disposed of. The date already fixed i.e. 17th August, 2017 stands cancelled.

YOGESH KHANNA, J

MAY 31, 2017

M