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

+ **CS(COMM) 47/2018**

**PATANJALI AYURVED LIMITED**

..... Plaintiff

Through

Mr. Simranjeet Singh with Mr. Rohan Ahuja, Ms. Sonali Dhir and Ms. Mahima Deepak, Advocates

versus

**M/S. KALPAMRIT AYURVED PVT. LTD. & ANR ..... Defendants**

Through

Mr. Guatam Sharma with Mr. Ayush Negi, Advocates for D-1 and D-2.  
Mr. Rajesh Kumar Gautam with Mr. Aakash Sehrawat, Advocates for D-8. D-8 in person.  
Mr. Anil Mittal with Ms. Komal Aggarwal, Advocates for State of Uttar Pradesh/contemnor nos. 5, 6&7.  
Mr. Gajendra Pal Singh, SHO, Insp. Madan Pal Singh and SI Suresh Kumar Singh in person.

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**

**14.09.2018**

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**I.A. No. 6033/2018**

Learned counsel for the State of Uttar Pradesh states that show cause notices have been already issued to the police officials in accordance with the enquiry report dated 29<sup>th</sup> June, 2018.

Let an appropriate action in accordance with law be taken in pursuance to the said report.

List on 8<sup>th</sup> October, 2018. The personal presence of all the contemnors are dispensed with till further orders.

**CS(COMM) 47/2018 & CRL.M.A. 29437/2018, I.A. 1069/2018, I.A. 4977/2018, I.A. 6361/2018 & I.A. 6507/2018**

Present petition has been filed for permanent injunction for restraining passing off, infringement of trademark, copyright, unfair competition, dilution, rendition of accounts and damages.

Learned counsel for the defendants states that he has no objection if the present suit is decreed in accordance with prayers (a), (b) and (c) of the plaint. He further undertakes that the impugned packaging/label/advertising material/publicity material/stationery bearing the mark '*Maharishi Patanjali Parivaar*' shall be destroyed in the presence of an authorised representative of the plaintiff. He, however, prays that the defendants be allowed to use the product with a different mark, label, packaging etc.

In view of the aforesaid statement/undertaking, learned counsel for the plaintiff does not wish to press for any other relief in the present suit. Accordingly, the present suit is decreed in accordance with prayers (a), (b) and (c) of the plaint as well as undertakings given by learned counsel for defendants. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue the plaintiff a certificate authorizing it to receive back from the Collector the full amount of the Court fee paid by it in the present suit.

The goods seized by the Local Commissioner are directed to be

returned to the defendants by the plaintiff on 19<sup>th</sup> September, 2018. The impugned packaging/label/advertising material/publicity material/stationery bearing the mark '*Maharishi Patanjali Parivaar*' shall be destroyed on the same date.

With the aforesaid observations, present suit and all pending applications except I.A.6033/2018 stand disposed of.

**MANMOHAN, J**

**SEPTEMBER 14, 2018**  
**rn/KA**