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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 169/2016 & IA No.3196/2016 (u/O XXXIX R-1&2 CPC).**

WALTER BUSHNELL PRIVATE LIMITED & ORS. Plaintiffs

Through: Mr. Amarjit Singh, Adv.
Mr. Bharat Bhushan Sharma, Director
of the plaintiff no.3.

versus

AVENUE REMEDIES (INDIA) PVT LTD & ORS Defendants

Through: Mr. Rahul Rajput and Mr. Nishi
Ranjan Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **04.04.2018**

1. This order is in continuation of the earlier order dated 22nd February, 2018.
 2. The counsel for the three plaintiffs and the counsel for the defendants no.1&2 state that the parties are agreeable to disposal of the suit as suggested in the order dated 22nd February, 2018.
 3. The counsel for the defendants no.1&2, on enquiry, under instructions from Harpreet Singh, Sales Manager of defendants no.1&2 states that the defendants no.1&2 are not in possession and custody of any stocks or packaging material under the impugned mark qua which permanent injunction has been agreed to be granted today.
 4. The defendants no.1&2 are bound by the said statement.
 5. Accordingly, a decree is passed in favour of the plaintiffs and against the defendants no.1&2, of permanent injunction, in terms of prayer paragraph 30 (i) and (ii) of the plaint dated 3rd March, 2016 and the counsel
- CS(COMM) 169/2016* *page 1 of 2*

for the plaintiffs gives up defendant no.3 and which is allowed, leaving the parties to bear their own costs.

Decree sheet be drawn up.

RAJIV SAHAI ENDLAW, J

APRIL 04, 2018

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