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

+ CS(COMM) 196/2017 & I.A.Nos.3250/2017, 3253/2017, 15596/2017

AKTIEBOLAGET VOLVO & ORS. Plaintiffs

Through Mr.Raunaq Kamath with Ms.Prakriti
Sharma, Advocates.

versus

J.B.G. VOLVO BUS PVT. LTD. Defendant

Through Mr.Rajesh Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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26.04.2018

Present suit has been filed for permanent injunction restraining infringement of trade mark/name, passing off, damages, delivery up etc.

Learned counsel for the defendant, on instructions of Mr.Hari Raj Bhati, Managing Director of the defendant company states that he has no objection if the present suit is decreed in accordance with prayers 26 (a) and (b) of the plaint. He further states that the defendant is willing to pay the costs of Rs.75,000/- to the plaintiffs. He also states that the infringing marks, if any, on the website shall be removed within two weeks.

In view of the aforesaid statement, learned counsel for the plaintiffs does not wish to press the present suit for any other relief.

The statements/undertakings given by learned counsel for the defendant are accepted by this Court and the defendant is held bound

by the same. The suit is decreed in terms thereof. The costs of Rs.75,000/- shall be paid by the defendant to learned counsel for the plaintiffs within a period of six weeks. Registry is directed to prepare a decree sheet accordingly.

It has been made clear to Mr.Hari Raj Bhati that in the event he is found using the mark 'Volvo' again in future, this Court would impose a minimum cost of Rs.25 lakhs.

MANMOHAN, J

APRIL 26, 2018
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