

\$~

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CS(COMM) 858/2018 & I.A. 6536/2018

SHRI VED PRAKASH GARG Plaintiff
Through Mr. Vishal Patel, Advocate

versus

MR. RUPINDER SINGH & ANR Defendants
Through Mr. Sanjeev Singh, Advocate

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER

%

04.09.2018

Present suit has been filed for permanent injunction restraining infringement and passing off of trademark, copyright, damages, delivery up etc.

This Court vide detailed ex-parte order dated 11th May, 2018 had restrained the defendants from using the trademark/label/artistic work FUNLINE or any other trademark/label/artistic work, which is identical or deceptively/confusingly similar to the plaintiff's registered trademark/label/artistic work FUNFINE, in any manner whatsoever.

Today learned counsel for the defendants, on instruction of defendant no. 1 who is personally present in Court, states that the defendants have no objection if the present suit is decreed in accordance with paragraph 32(a), (b), (c) and (d) of the plaint. He further states that the defendants are willing

to pay a nominal cost of Rs. 50,000/-.

Learned counsel for the plaintiff states that in view of the aforesaid statement/undertaking made by learned counsel for the defendants, plaintiff does not wish to press for any other or further relief. He also states that the plaintiff has no objection if the said cost is paid to a government hospital.

The statements/undertakings given by learned counsel are accepted by this Court and parties are held bound by the same.

Consequently, present suit is decreed in accordance with paragraph 32(a), (b), (c) and (d) of the plaint as well as undertaking given by learned counsel for the defendants to pay cost Rs. 50,000/-. The said cost shall be paid to Lok Nayak Hospital, New Delhi within two weeks and a copy of the receipt of the same shall be filed within one week thereafter. Registry is directed to prepare a decree sheet accordingly.

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

With the aforesaid directions, present suit and pending application stand disposed of.

MANMOHAN, J

SEPTEMBER 04, 2018

rn