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

+ **CS(COMM) 876/2018**

THE GILLETTE COMPANY LLC Plaintiff

Through Mr.Harish Kumar Chauhan, Adv.

versus

M/S ZAM ZAM STORE & ORS Defendant

Through Mr.Surender Chauhan and Mr.Vikas Saini, Advs. for D-1

Mr.Dharmendra Kumar and Mr.Pramod Kumar, Advs. for D-6 to 13

Mr.Rahul Ranjan, Adv. for D-15

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% 02.11.2018

Other than defendants No.2,14 and 16 all defendants have entered into a Settlement Agreement with the plaintiff before the Delhi High Court Mediation and Conciliation Centre dated 29.08.2018. Thirteen different Settlement Agreements have been entered into and all the defendants have paid some nominal damages to the plaintiff. Learned counsel for the plaintiff states that apart from the damages the terms and conditions of the Settlement Agreement are identical. Parties shall remain bound by the terms and conditions of the Settlement Agreement. The terms and conditions of the Settlement Agreement are legal and valid.

Accordingly, a decree is passed in favour of the plaintiff and against the defendants other than defendants No.2,14 and 16 in terms of the Settlement Agreement.

As far as defendants No.2, 4 and 16 are concerned the said defendants have not appeared today. They have also not filed their written statement.

Accordingly, under Order 8 Rule 10 CPC a decree is passed in favour of the plaintiff and against the defendants in terms of prayer 44(a)(b)(c) (d) and (e) of the amended plaint. A decree is also passed in favour of the plaintiff and against defendant No.2 in terms of prayer (f) of the amended plaint.

Learned counsel appearing for defendants submit that they will hand over the impugned products which were seized by the Local Commissioner and hand over to them on superdari to the plaintiffs within four weeks from today.

Suit stands disposed of. All pending applications, if any, also stand disposed of accordingly.

JAYANT NATH, J

NOVEMBER 02, 2018

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