

\$~23

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

+ CS(COMM) 918/2018 & I.A.No.7656/2018

ARUN VASTRA BHANDAR PAVT. LTD. Plaintiff

Through Mr.Deepak Agarwal, Advocate.

versus

ARUNA VASTRA BHANDAR DELHI WALAY Defendant

Through Mr.Raj Sharma, defendant in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

%

03.08.2018

Present suit has been filed for passing off, unfair competition, dilution, delivery up, damages and rendition of accounts.

On the last date of hearing, the proprietor of the defendant company, Mr.Raj Sharma had stated before the learned Joint Registrar that the shop had been closed and no business was being carried out.

Today Mr.Raj Sharma, who is personally present in Court, states that the defendant is neither trading nor selling or dealing in cloth/textile business. He further states that the defendant shall voluntarily pay Rs.1,11,000/- to the Lok Nayak Hospital, Delhi within a period of eight weeks.

In view of the aforesaid statement and undertaking, learned counsel for the plaintiff does not press for reliefs of unfair competition, dilution, delivery up, damages and rendition of accounts.

The aforesaid statements made by learned counsel for the plaintiff and Mr.Raj Sharma are accepted by this Court and the parties are held bound by the same.

Consequently, the present suit and pending application are decreed in accordance with paragraph 28 (a) & 28 (b) of the plaint. Registry is directed to prepare a decree sheet accordingly.

Defendant is directed to make payment of Rs.1,11,000/- to the Lok Nayak Hospital, Delhi within a period of eight weeks. The receipt of the same shall be filed within a further period of two weeks.

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

As a token of acceptance of the order passed today, the defendant is directed to sign today's order sheet.

MANMOHAN, J

AUGUST 03, 2018
KA