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

+ CS(COMM) 948/2018 and I.A. No.7913/2018

FLUENTGRID LIMITED

..... Plaintiff

Through: Mr. Bhavya Goel and Mr. Anirudh Sarin, Advocates

versus

ESYASOFT TECHNOLOGIES PVT. LTD. & ORS..... Defendants

Through: Mr. Sanjay Jain, Senior Advocate with Mr. Nilesh Kumar, Mr. Jayant Mohan, Mr. Sarfaraz Ahmad and Ms. Sneha Suman, Advocates with Mr. Bipin Chandra, A.R. of the defendants

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **16.07.2018**

1. The plaintiff is seeking permanent injunction against the defendants in respect of infringement of their registered trademarks and passing off. The plaintiff is also seeking the relief of rendition of accounts and damages against the defendants.
2. Mr. Sanjay Jain, learned senior counsel for the defendants, submits that the defendants have filed an affidavit dated 10th July, 2018 and in terms of the said affidavit, the defendants have no objection to the plaintiff's suit being decreed in respect of prayers (a) and (b) for permanent injunction subject to the plaintiff giving up prayers (c), (d), (e) and (f) of the plaint.
3. Learned counsel for the plaintiff submits that the plaintiff has instructed him to give up prayers (c), (d), (e) and (f). Learned counsel for the plaintiff, however, submits that the defendants' admission of infringing

the plaintiff's trademark and passing off be recorded.

4. Learned counsel for the defendants submits that the defendants have given their stand in the affidavit dated 10th July, 2018 and no further statement is necessary to allow prayers (a) and (b) for permanent injunction.

5. In the facts and circumstances of this case, the plaintiff's suit is decreed in respect of prayers (a) and (b) of the plaint for permanent injunction. No orders as to costs.

6. Pending application is disposed of.

7. This Court appreciates the assistance rendered by learned counsels for both the parties to put an end to this case at the initial stage itself.

8. Copy of this order be given *dasti* to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

JULY 16, 2018

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