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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 976/2018

SAMSUNG ELECTRONICS COMPANY LIMITED Plaintiff

Through: Ms. Anuradha Salhotra, Advocate with
Mr. Zeeshan Khan and Ms. Saugaat
Khurana, Advocates.

versus

MR AJAY ARORA AND ORS

..... Defendants

Through: Mr. Ajay Arora, defendant No.1 in
person.

Mr. Yogesh, Power of Attorney of
defendant No.3 in person.

Mr. Amit Tomar, Advocate for
defendant No.2.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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09.08.2018

Present suit has been filed for permanent injunction restraining infringement of registered trade marks, passing off, unfair competition, delivery up and recovery of damages.

Today, Mr. Ajay Arora, defendant No.1 as well as Mr. Yogesh, power of attorney holder of defendant No.3 and learned counsel for defendant No.2 state that they have no objection if the present suit is decreed in accordance with paragraph 37 'i' and 'ii' of the plaint. They further state that the defendants shall destroy the seized goods in the presence of an authorised

representative of the plaintiff at a mutually convenient date and time within a period of two weeks.

Learned counsel for plaintiff admits that defendants No.1 and 3 have already paid Rs.1.50 lacs each as compensation to the plaintiff.

Learned counsel for defendant No.2 states that defendant No.2 is willing to pay compensation of Rs.2 lacs in two equated monthly instalments. He states that while the first instalment shall be paid on or before 20th August, 2018 by way of a Demand Draft, the second and final instalment shall be paid on or before 20th September, 2018 by way of a Demand Draft.

In view of the aforesaid statements, learned counsel for plaintiff does not wish to press the present suit for any other or further reliefs. She also fairly states that as and when the entire costs of Rs.5 lacs is received by the plaintiff, it shall remit the said amount to the Lok Nayak Hospital, New Delhi, within two weeks by way of a Demand Draft.

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

Consequently, present suit is decreed in terms para 37 'i' and 'ii' of the plaint as well as the aforesaid statements/assurances/undertakings. Registry is directed to prepare a decree sheet accordingly.

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

MANMOHAN, J

AUGUST 09, 2018

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