

\$~4

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CS(COMM) 981/2018 & I.A. 8266/2018

SUN PHARMACEUTICAL INDUSTRIES LTD. Plaintiff

Through Mr. Sachin Gupta and Ms. Surabhi
Grover, Advs.

versus

PARUL HEALTH CARE PRIVATE LIMITED & ANR. . Defendants

Through Mr. Mitabh Gosain, Adv. for D-1.
Mr. Aruni Poddar, Adv. for D-2.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

%

13.08.2018

Present suit has been filed for permanent injunction restraining infringement of trade mark, passing off, unfair competition, rendition of accounts of profits/damages, delivery up, etc.

This Court vide order dated 02nd July, 2018 had passed an ex-parte ad interim order restraining the defendants from manufacturing selling, offering for sale, advertising, directly or indirectly dealing in medicinal preparations under the mark TKCZINE or any other trade mark which may be deceptively similar to the plaintiff's trade mark TECZINE in any manner whatsoever.

Today, learned counsel for both the defendants state that they have no objection to the present suit being decreed in accordance with para 29 (a) & (b) of the plaint.

Learned counsel for defendant no.1 further states that the defendant no.1 is willing to pay cost of Rs.2,00,000/- to the plaintiff.

In view of the aforesaid statements, learned counsel for plaintiff does not wish to press for any other and/or further reliefs in the present suit.

The statements made by learned counsel for parties are accepted by this Court and the parties are held bound by the same.

Today in Court, learned counsel for defendant no.1 has handed over to learned counsel for plaintiff a demand draft of Rs. 2,00,000/- dated 19th July, 2018 drawn on HDFC Bank, Branch Model Town, Karnal. Learned counsel for plaintiff has accepted the aforesaid cheques in full and final settlement.

Consequently, the present suit is decreed in accordance with para 29(a) & (b) of the plaint. Registry is directed to prepare a decree sheet accordingly.

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

The present suit and pending application stand disposed of.

MANMOHAN, J

AUGUST 13, 2018

j