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

+ CS(COMM) 908/2016 & I.A.No.18013/2015

M/S PRABH DAYAL OM PRAKASH INFRASTRUCTURE PVT
LTD Plaintiff

Through Mr.Ranjeev Kumar, Advocate.

versus

M/S PYMEN CABLE CORPORATION & ANR Defendants

Through Mr.Ashish Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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06.12.2018

Present suit has been filed for permanent injunction restraining piracy/infringement of the plaintiff's registered design No.253377, delivery up, rendition of account etc.

On 15th November, 2018, learned counsel for the defendants had made a statement before the learned Joint Registrar that the defendants shall not use the design of the plaintiff.

Today learned counsel for the defendants not only reiterates the aforesaid statement but also states that the defendants shall withdraw the application for cancellation of plaintiff's design filed before the Controller of Patents and Designs, within a period of four weeks. He further states that the defendants have no objection if the present suit is decreed in accordance with paragraph 19 (I) of the plaint.

In view of the aforesaid statements, learned counsel for the plaintiff states that the plaintiff does not wish to press the present suit

for any other or further relief.

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

Consequently, the present suit is decreed in accordance with the statements made by learned counsel for the parties as well as paragraph 19 (I) of the plaint. Registry is directed to prepare a decree sheet accordingly.

Accordingly, the present suit and pending application stand disposed of.

MANMOHAN, J

DECEMBER 06, 2018
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