

\$~OS-6

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

+ CS(COMM) 1088/2018

RELIANCE INDUSTRIES LIMITED & ANR. Plaintiffs
Through Mr.Pravin Anand, Ms.Vaishali Mittal
and Ms.Vrinda Gambhir, Advs.
versus
MR. GAGAN KOHLI & ORS. Defendants
Through Mr.Prakash Gautam, Adv. for D-1
&2.
Mr.Aman Kochhar, Adv. for D-4.
Mr.Devashish Maharishi, Adv. for D-5.
Ms.Talha A. Rahman and Mr.Ujjwal Sinha, Adv.
for D-6.
Ms.Payal Dhupper, Adv. for D-7.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

13.12.2018

1. This suit is filed by the plaintiffs seeking a decree of permanent injunction to restrain the defendants, their partners, etc. from manufacturing, selling, offering for sale, advertising or dealing in any manner with products and services including but not limited to digital set-top boxes, television receivers, television apparatus, etc. and or any other goods or services using

the trade mark JIO , , ,  or any other trade mark which is deceptively similar to the plaintiffs' trade mark. Other connected reliefs are also sought.

2. The defendants have been served.

3. Learned counsel for the parties have agreed that they have no

objection in case a decree of injunction is passed in favour of the plaintiffs and against the defendants. They also agree to reimburse token damages to the plaintiff as follows:-

S.No.	Defendants	Token damages
1.	Defendants No. 1 and 2 Mr.Gagan Kohli (Proprietor of M/s. Kohli Enterprises) and Kohli Enterprises	INR 10,000
2.	Defendant No. 3 M/s. New Ajanta Electronics	INR 10,000
3.	Defendant No.4 M/s. Chakwal Sales Corporation	INR 25,000
4.	Defendant No.5 M/s. Shivay Electronics	INR 10,000
5.	Defendant No.6 M/s. Sharp Electronics	INR 10,000
6.	Defendant No.7 Mr.Avyan Khurana, trading as M/s. Khurana Electronics	INR 25,000

4. Keeping in view the above, a decree is passed in favour of the plaintiffs and against the defendants in terms of prayer 85(i) and (ii) of the plaint. A decree is also passed in favour of the plaintiff and against the defendants for the following sum as token damages.

S.No.	Defendants	Token damages
1.	Defendants No. 1 and 2	INR 10,000

	Mr.Gagan Kohli (Proprietor of M/s. Kohli Enterprises) and Kohli Enterprises	
2.	Defendant No. 3 M/s. New Ajanta Electronics	INR 10,000
3.	Defendant No.4 M/s. Chakwal Sales Corporation	INR 25,000
4.	Defendant No.5 M/s. Shivay Electronics	INR 10,000
5.	Defendant No.6 M/s. Sharp Electronics	INR 10,000
6.	Defendant No.7 Mr.Avyant Khurana, trading as M/s. Khurana Electronics	INR 25,000

5. Learned counsel for the defendants also state that wherever the Local Commissioner has handed over impugned products to any of the defendants on superdari, the defendants will use those products only after erasing/removing any sticker or mark relating to the plaintiffs' trade mark. It is ordered accordingly.

6. The suit stands disposed of.

JAYANT NATH, J

DECEMBER 13, 2018/rb