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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 1662/2016, IA No.15999/2016 (u/O XXXIX R-1&2
CPC) & IA No.16000/2016 (u/O XI R-1(4) CPC).
BURGER KING CORPORATION Plaintiff

Through: Ms. Prakriti Sharma, Adv.

versus

MICHEL DAVID & ANR Defendants

Through: Mr. Rajeev Mishra and Mr. S. Rama
Krishnan, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

21.02.2018

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1. The parties in this suit for permanent injunction restraining infringement of trade mark and passing off and for ancillary reliefs and in which an interim order has been granted in favour of the plaintiff were vide order dated 6th December, 2017 referred to the Mediation Cell of this Court. Mediation has been successful with the efforts of Ms. Sujata Kashyap, Advocate/Mediator and Mr. Sameer Mendiratta, Advocate/Co-Mediator and a Settlement Agreement dated 30th January, 2018 purported to be signed on behalf of the plaintiff and the defendant no.1 for self and as proprietor of defendant no.2 M/s. Baker King and by the respective Advocates and the Mediator and Co-Mediator has been received from the Mediation Cell of this Court and both counsels support the Settlement/compromise and seek disposal of the suit in terms thereof.

2. I have perused the Settlement/compromise arrived at between the parties as contained in the Settlement Agreement aforesaid to be lawful and allow the same.

3. A decree is passed in favour of the plaintiff and joint and severally against the two defendants in terms of Settlement Agreement which shall form part of the decree sheet leaving the parties to bear their own costs.

Decree sheet be drawn up.

RAJIV SAHAI ENDLAW, J

FEBRUARY 21, 2018

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