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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 566/2017 & I.A. 9785/2017

SANDISK LLC

..... Plaintiff

Through: Ms. Shwetasree Majumder, Advocate
with Mr. Prithvi Singh and Mr. Utkarsh
Joshi, Advocates.

versus

ANAND BAJAJ & ANR

..... Defendants

Through: Mr. Vishal Patel, Advocate with
defendant No.1 in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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09.02.2018

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

In pursuance to the last order, defendant No.1 is personally present in Court. He states that he has no objection if the present suit is decreed in accordance with paragraph 25(a) and (b) of the plaint. He further states that the defendants shall withdraw the trade mark application being TM Application No.2806159 for the mark SALDISK within a period of two weeks. He also states that the goods seized by the Local Commissioner and given to the defendants on Superdari shall be handed over to an authorised representative of the plaintiff on 11th February, 2018 at 11:00 a.m.

Defendant No.1 lastly states that the defendants shall pay cost of Rs.1,50,000/- to the plaintiff by way of Demand Draft within a period of one week.

In view of the aforesaid statements, learned counsel for plaintiff does not wish to press the present suit any further.

The statements/undertakings given by defendant No.1 are accepted by this Court and defendants are held bound by the same.

Accordingly, the suit is decreed in accordance with the aforesaid statements/undertakings given by the defendant No.1. Registry is directed to prepare a decree sheet accordingly.

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

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

MANMOHAN, J

FEBRUARY 09, 2018

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