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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 769/2017 & I.As. 12940/2017, 12942/2017 AND
2171/2018

M/S MUBARAK OVERSEAS (P) LTD. & ANR Plaintiffs

Through: Mr. Umesh Mishra, Advocate.

versus

SH. MAYANK MANGAL

..... Defendant

Through: Mr. Kumar Dushyant Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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07.03.2018

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

Learned counsel for defendant states that he has instructions that defendant is willing to suffer a decree in accordance with para 26(a), (b), (c) and (d) of the plaint. He further assures this Court that the impugned packaging/labels shall be destroyed in the presence of an authorised representative of the plaintiff on 16th March, 2018.

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

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

Consequently, the present suit is decreed in accordance with para 26(a), (b), (c) and (d) of the plaint. Registry is directed to prepare a decree sheet accordingly.

However, it is clarified that the defendant shall be entitled to remove the rice from the impugned packaging and use the same for his trade and business purposes.

Registry is also directed to issue to an authorised representative of 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.

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

MANMOHAN, J

MARCH 07, 2018

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