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

+ CS(COMM) 734/2017

CHASVINDER SINGH

..... Plaintiff

Through Mr.Sanjeev Singh with
Mr.D.K.Yadav, Advocates.

versus

SHRI ARIHANT AUTOPART & TRADERS & ANR

..... Defendants

Through Mr.Arpit Jain, Advocate with
Mr.Sanjiv Jain, proprietor of
defendants in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **19.03.2018**

Present suit has been filed for permanent injunction restraining infringement of trademark, passing off, dilution, rendition of accounts, damages, delivery up etc.

In pursuance to the *ex parte* injunction order dated 27th October, 2017 and the order dated 02nd February, 2018 passed by the learned Joint Registrar, Mr.Sanjiv Jain, proprietor of defendant nos.1 & 2 is personally present. He reiterates that the defendants have not used the mark/label **SAP** for the last three years and shall not use the mark/lable **SAP** and/or any other identical/similar marks in future. He also states that the defendants shall pay an all inclusive cost of Rs.75,000/- to the plaintiff. Mr.Sanjiv Jain, however, states that

keeping in view the poor financial condition of the defendants, the said amount shall be paid in equated monthly instalments of Rs.10,000/- to the plaintiff.

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

The statements/undertakings given by Mr.Sanjiv Jain, proprietor of defendant nos.1 & 2 are accepted by this Court and the said defendants are held bound by the same. Consequently, the suit is decreed in terms thereof. Registry is directed to prepare a decree sheet accordingly.

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

MANMOHAN, J

MARCH 19, 2018
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