

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(COMM.) 831/2017

Through defendant is ex parte

3. It is further asserted that the plaintiff was shocked when it came to its

attention in April 2017 that the defendant was planning to open a restaurant with the trademark THE SOCIAL INDUSTRIE in Hyderabad. A restaurant has recently been opened with the trademark THE SOCIALE INDUSTRIE. Hence, the present suit.

4. The defendant has been served. The plaintiff has filed an affidavit of service showing that the summons sent by registered post have been duly served on the defendant alongwith the affidavit. The tracking report has also been filed. Defendant is hence proceeded ex parte as none has appeared for the defendant. Defendant has also not filed written statement.

5. In my opinion, this is a fit case to pass a decree in favour of the plaintiff and against the defendant under Order 8 Rule 10 CPC. Accordingly, a decree is passed in favour of the plaintiff and against the defendant in terms of prayer A (i)(ii) and (iii); B (v) of the prayer clause of the plaint. The plaintiff shall also be entitled to actual costs of the suit.

6. The suit stands disposed of.

JAYANT NATH, J

JULY 09, 2018

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