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

+ CS(COMM) 264/2018 & I.A.No.11962/2018

MAHINDRA AND MAHINDRA LTD Plaintiff

Through Mr.Sanchith Shivakumar, Advocate.

versus

MR SHIV BALAK GOSHWAMI Defendant

Through Mr.Sheikh F.Kalia, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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15.02.2019

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

Learned counsel for the defendant states that he has no objection if the present suit is decreed in accordance with paragraph 40 (a), (b) and (e) of the plaint. He further states that the defendant shall voluntarily pay Rs.75,000/- as costs.

In view of the aforesaid statements, learned counsel for the plaintiff states that he does not wish to press the present suit for any other or further relief.

The statement/undertaking given by learned counsel for the defendant is accepted by this Court and the defendant is held bound by the same.

Learned counsel for the plaintiff fairly states that the defendant should pay the costs to a charity. Consequently, the defendant is directed to pay the costs of Rs.75,000/-with AIIMS Poor Fund Account No.10874588424 with SBI, Ansari Nagar, New Delhi (IFSC Code : SBIN0001536) within one week.

Consequently, the present suit is decreed in accordance with paragraph 40 (a), (b) and (e) of the plaint. Registry is directed to prepare a decree sheet accordingly.

Registry of this Court is also directed to issue to an authorised representative of the plaintiff a certificate authorizing him/her 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 15, 2019
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