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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 1307/2018

STARBUCKS CORPORATION

..... Plaintiff

Through: Mr. Sohan Singh Rana, Adv. with
Mrs. Bindra Rana, Ms. Priya
Adlakha, Mr. Ashish Sharma, Advs.

versus

**MR. GURSHARAN SINGH SETHI, PROPRIETOR OF SETHI
CROCKERY HOUSE & ORS.**

..... Defendant

Through: Mr. Nalin Tripathi, Adv. with
Mr. Sanjeev Kumar, Adv. for D-4

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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30.10.2019

On May 01, 2019, this Court had decreed the suit qua defendant Nos. 1, 2, 3, 5, 6 & 7, subject to payment of cost to be paid by the said defendants.

Mr. Tripathi, learned counsel for the defendant No.4 states that, the suit be decreed qua defendant No.4 except that the cost be not imposed, as defendant No.4 is not in a position to pay the said cost.

The suit is decreed in terms of paragraphs 41 (a), (b) and (c). The defendant No.4 shall handover the seized goods to the authorised representative of the plaintiff on or before 15th November, 2019.

Noting the submission of Mr. Tripathi that the defendant No.4 is not in a position to pay the cost equivalent to one imposed by this Court on May

01, 2019 on other defendants, I deem it appropriate to limit the cost to Rs.20,000/- to be paid by defendant No.4 to the learned counsel for the plaintiff on or before 15th December, 2019. Decree sheet be drawn up.

In view of the fact that the suit qua defendants 1, 2, 3, 5, 6 & 7 was decreed on May 01, 2019 and qua defendant No.4 today, the plaintiff shall be entitled for refund of the Court fee, which shall be in the name of S. S. Co. Suit is disposed of. No costs.

V. KAMESWAR RAO, J

OCTOBER 30, 2019/ak