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IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO 140/2020 & CM APPL. 15728/2020

ROAD MASTER AUTOTECH PVT. LTD.

.....Appellant

Through: Mr. Sushant Singh and Mr. Kunal
Khanna, Advocates.

versus

MILAN ROADMASTER

CORPORATION & ORS.

..... Respondents

Through: Ms. Aastha Mehta, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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19.08.2020

The hearing was conducted through video conferencing.

1. Ms. Aastha Mehta, learned counsel, enters appearance on behalf of the respondents.
2. The appellant is aggrieved by the non-grant of an interim injunction against the respondents from using the expression '*Road Faster*' and/or the trade name '*Milan Road Master*'. The appellant claims that it had adopted the trademark/trade name '*Road Master*' in the year 2016 and has advertised extensively while using the said trademark/trade-name.
3. The case was passed over for Ms. Mehta to obtain instructions. Having done so, she submits that the respondents will use and adopt only the trademark/trade-name '*Milan Faster*' and neither '*Milan Road Master*' nor '*Road Faster*'. She further submits, upon instructions, that the respondents will withdraw their application for

registration of the trademark '*Road Faster*' and for the trade-name '*Milan Road Master*'. The said submission is acceptable to the learned counsel for the appellant.

4. In view of the above, learned counsel for the appellant submits, upon instructions, that he shall seek decree of the suit filed by them, in terms of aforesaid statement/settlement. Ms. Mehta too submits that the suit filed by the appellant may accordingly be decreed, in terms of the above.
5. The appeal, along with pending applications, stands disposed-off in above terms.
6. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

AUGUST 19, 2020/rd