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

+ **CS(COMM) 1373/2016**

CL EDUCATE LTD

..... Plaintiff

Through: Mr. Souradeep Mukhopadhyay, Adv.

versus

BYJU RAVEENDRAN & ORS

..... Defendants

Through: Mr. Sagar Chandra with Ms. Ishani
Chandra & Ms. Shubhie Wahi, Advs.
for D-1 to 3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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05.03.2020

IA No.3133/2020(u/O.XXIII R.3 CPC)

1. The plaintiff and the defendants no. 1 to 3, namely (i) Byju Raveendran, (ii) Mrinal Mohit, and (iii) Think & Learn Pvt. Ltd., in this suit for permanent injunction to restrain infringement of trade mark, passing off, unfair competition, misrepresentation, commercial misappropriation, damages, etc., and in which defendant no.4 GoDaddy.com, LLC was impleaded for compliance of the direction sought, are stated to have settled all their disputes subject matter of this suit on the terms contained in I.A. No.3133/2020 under Order XXIII Rule 3 CPC.

2. The counsel for the plaintiff and the counsel for the defendants no. 1 to 3 support the application and state that the application has been signed by or on behalf of the parties and is accompanied with their affidavits, as well as by the counsels themselves.

3. The counsel for the plaintiff states that the defendant no.4 GoDaddy.com, LLC has already been deleted.

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4. I have perused the compromise as recorded in IA No.3133/2020.
5. The counsels for the parties, in response to the queries state that no decree in terms of the compromise is being sought and if any dispute arises between the parties out of the terms of IA No.3133/2020, a fresh legal proceeding and not execution shall be filed on the basis thereof.
6. The compromise is found to be lawful and IA No.3133/2020 is allowed and disposed of.
7. The counsel for the defendants no. 1 to 3 has in Court handed over the demand draft as mentioned in paragraph 2(c) of IA No.3133/2020 to the counsel for the plaintiff.
8. The undertakings of defendants no.1 to 3 as contained in IA No.3133/2020 are accepted and the defendants no. 1 to 3 are ordered to be bound therewith and cautioned through counsel of consequences of breach of undertaking given to this Court.
9. The suit is disposed of in view of IA No.3133/2020 and in terms of above, leaving the parties to bear their own costs.
10. The date of 23rd March, 2020, before the Joint Registrar, is cancelled.

RAJIV SAHAI ENDLAW, J

MARCH 05, 2020

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