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

+ **CS (COMM) 122/2022**

USHA INTERNATIONAL LIMITED Plaintiff

Through: Mr. Jithin M. George, Adv.

Versus

TARUN ARORA TRADING

AS KRISHAN ENTERPRISES

..... Defendant

Through: Mr. Himanshu Batham, Adv.

with Mr. Tarun Arora in person

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

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20.03.2023

1. Mr. Tarun Arora is present in person along with Mr. Himanshu Batham.

2. In terms of para 14 of the order dated 20th July 2022, a compliance affidavit has been filed by Mr. Tarun Arora, in which it is stated that the defendant has no stock of the products bearing the plaintiff's marks.

3. Mr. George, learned Counsel for the plaintiff does not dispute the said factual position.

4. As such, there can be no order directing delivery up, as prayed in the suit.

5. Costs and damages already stand awarded by order dated 20th July 2022.

6. The suit, therefore, does not survive for further adjudication.
7. The suit, accordingly, stands decreed in terms of the order dated 20th July 2022.
8. Let a decree-sheet be drawn up accordingly.

C.HARI SHANKAR, J

MARCH 20, 2023

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