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

+ **CS(COMM) 6/2021 & I.A. No. 1081/2025**

AKTIEBOLAGET VOLVO & ORS.Plaintiffs

Through: Mr. Karan Kamra, Advocate.

versus

VAISHALI TRAVELS & ANR.Defendants

Through: Mr. Abhishek Kotnala with
Mr. Deepankar Mishra, Advocates for
defendant no. 2.
(M): 9716746496
Email: deepankar@simandsan.com

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

ORDER
16.01.2025

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I.A. No. 1081/2025 (Application seeking clarification of the order dated 20th December, 2024)

1. The present application has been filed under Section 152 read with Section 151 of the Code of Civil Procedure, 1908 ("CPC") seeking clarification of the order dated 20th December, 2024.
2. It is submitted that this Court *vide* order dated 20th December, 2024, has already decreed the suit in favour of the plaintiff and against defendant no. 1, in terms of Paragraph 82(i) of the plaint.
3. It is submitted that the relief prayed in Paragraph 82(i) of the plaint was with regards the relief of permanent injunction restraining the infringement of the plaintiff no. 2's registered and well-known mark



‘VOLVO’.

4. Learned counsel appearing for the plaintiffs submits that in addition to the said relief, relief of permanent injunction restraining passing off and dilution of plaintiff no. 2's registered and well-known mark 'VOLVO' were also sought in Paragraph 82(ii) and (iii) of the plaint, which have inadvertently been missed in the order dated 20th December, 2024. Thus, the present application for clarification has been sought.

5. Issue notice.

6. Notice is accepted by learned counsel appearing for defendant no. 2, with whom the matter already stands compromised.

7. Considering the submissions made before this Court, and taking into account the order passed by this Court on 20th December, 2024, it is clarified that the order dated 20th December, 2024 shall include decree in favour of the plaintiff and against defendant no. 1 in terms of Paragraph 82 (i) to (iii) of the plaint.

8. Let decree sheet be drawn up in terms of Paragraph 82 (i) to (iii) of the plaint.

9. With the aforesaid clarification, the present application is disposed of.

MINI PUSHKARNA, J

JANUARY 16, 2025

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