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

+ **CS(COMM) 97/2023 & I.A. 3487/2023**

DABUR INDIA LIMITED

..... Plaintiff

Through: Mr. Chrishtopher, Mr. Roshal Lal
Goel and Ms. Anju Gupta, Advocates.

versus

GOODLUCK AYURVEDA PRIVATE LIMITED

..... Defendant

Through: Mr. Abhimanyu Kunwar, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

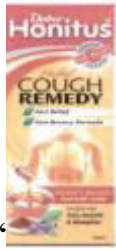
ORDER

24.05.2024

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1. The Plaintiff has filed the present suit against infringement and passing off of their registered trademark/ label/ trade dress of the product "HONITUS" by the Defendants.
2. During the course of the proceedings, parties were referred to mediation before the Delhi High Court Mediation and Conciliation Centre, where they have successfully resolved their disputes amicably through execution of Settlement Agreement dated 27th March, 2024. The Agreement is accompanied with a Board Resolution and Authority Letter in favour of Authorised Representative of Plaintiff and Defendant, respectively.
3. Counsel for the parties mentioned in the appearance above confirm the terms of settlement and pray for the suit to be decreed in terms thereof.
4. The Court has perused the said terms and finds the same to be lawful. Under the Agreement, the Defendant has acknowledged the rights of the Plaintiff in the trademark "HONITUS" and the trade dress/ label/



packaging “”/ “” and has agreed to cease the use of the impugned packaging/ label/ trade dress. Defendant has further modified their packaging as per clause 3(vi) of the Settlement Agreement. In terms of clause 3(iv), the Defendant has remitted an amount of Rs. 1,00,000/- to the Plaintiff, receipt whereof has been confirmed by the counsel for Plaintiff.

5. Accordingly, the present suit is decreed in favour of the Plaintiff and against the Defendant in terms of the Settlement Agreement dated 27th March, 2024, which shall form part of the decree. Parties shall remain bound by the terms and conditions of the settlement.

6. Since the suit is being resolved on the basis of a mediated settlement between the parties, Plaintiff is entitled to refund of court fee. Registry is accordingly directed to issue a certificate for refund of full court fee in favour of the Plaintiff.

7. Decree sheet be drawn up.

8. Suit and pending application stand disposed of.

SANJEEV NARULA, J

MAY 24, 2024/d.negi