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

+ **CS(COMM) 229/2024 & I.A. 34989/2024**

JINDAL (INDIA) LIMITED.

.....Plaintiff

Through: Mr. Rishabh Srivastava with
Mr. Sahil Gupta, Advocates.
(M): 9654777151

versus

RATAN KUMAR CHOUDHARY & ANR.

.....Defendants

Through: Mr. Yash Sampat, Advocate for
defendant no. 1 and 2.
(M): 9560705304

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **31.07.2024**

I.A. 34989/2024 (Application under Order XXIII Rule 3 read with Section 151 CPC)

1. The present is an application under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 ("CPC") jointly filed by the plaintiff and the defendants.
2. It is submitted that the parties to the instant suit have agreed to amicably settle the matter as per the terms set out in the Settlement Agreement dated 18th April, 2024.
3. The present application is duly supported by affidavits of the parties. The counsels appearing for the parties confirm the settlement and pray that the suit be decreed in terms of the Settlement Agreement dated 18th April, 2024 executed between the parties.



4. Copy of the Settlement Agreement dated 18th April, 2024 has been filed along with the present application. The Court has perused the terms of the settlement and finds the same to be lawful.

5. As per the Settlement Agreement, the defendants have agreed to



immediately cease all use of the mark, , in connection with its goods/services. The defendants have further agreed not to challenge the validity or enforceability of the plaintiff's trademarks. The defendants have also undertaken that from the date of execution of the Settlement Agreement, they will not manufacture any goods or products of any nature whatsoever, metallic or non-metallic, under the trademark



6. The defendants have also undertaken to destroy all the raw materials and finished/semi-finished products, labels or sticker, die and moulds, pertaining to the plaintiff's trademark within seven days of execution of the settlement agreement.

7. Accordingly, the present suit is decreed in terms of the Settlement Agreement dated 18th April, 2024 between the parties, which shall form part of the decree.

8. The parties shall remain bound by the terms and conditions of the settlement.

9. Decree sheet be drawn up.



10. Accordingly, the suit along with the pending application, stands disposed of.

11. The date of 03rd September, 2024, stands cancelled.

MINI PUSHKARNA, J

JULY 31, 2024/c