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

+ **CS(COMM) 242/2024 & I.A. 9584/2024, I.A. 9586-9587/2024,
I.A. 45331/2024**

AMIT KUMAR THAKUR

.....Plaintiff

Through: **Mr. Anshuman Upadhyay, Mr. Rahul
Singh and Ms. Apoorva Sharma,
Advocates**

versus

PANKAJ KUMAR PRAJAPATI AND ORS

.....Defendants

Through: **Mr. Ravi Chauhan and
Ms. Chandrabha Singh, Advocates
for D-2
Mr. Pramod Kumar Tiwary, Advocate
for D-3**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

21.11.2024

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1. The present suit has already been decreed *qua* the defendant no.1.
2. Pursuant to the order passed by this Court on 19th November, 2024, counsel for the plaintiff and the defendants no.2 and 3 have engaged with each other and have arrived at the following terms of the settlement:-
 - i. Counsel for the defendants no.2 and 3 submit that the defendants no.2 and 3 have never used any of the photographs in which the plaintiff claims copyright and they further undertake that they shall not use any of the photographs in which the plaintiff claims copyright in the future as well.



- ii. Counsel appearing for the defendants no.2 and 3 submit that the said defendants shall not latch on to the products of the plaintiff as “more sellers” on the e-commerce platform ‘Flipkart’.
- iii. The defendants no.2 and 3 are permitted to de-seal the products that were seized by the Local Commissioner during the execution of the commission and use/sell the same.
3. The aforesaid statements are taken on record.
4. The defendants no.2 and 3 shall be bound by the same.
5. The present suit is decreed in terms of the statements made on behalf of the defendants no.2 and 3 above.
6. The plaintiff does not press for the remaining claims in the suit.
7. In view of the fact that the matter has been settled at an early stage, the Registry is directed to issue a certificate of refund of 50% of the Court Fees in favour of the plaintiff, in terms of Section 16A of the Court Fees Act, 1870, as applicable to Delhi.

AMIT BANSAL, J

NOVEMBER 21, 2024
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