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

+ **RFA-IPD 3/2023**

M/S BRIGHT ENTERPRISES PVT LTD Decree Holder

Through: **Mr. Raj Kamal, Mr. Aseem Atwal
and Ms. Aprajita Tyagi, Advocates.**

versus

M/S NARANG INFRASTRUCTURE PVT LTD

..... Judgement Debtor
Through: **Mr. Ashish Garg, Advocate.**

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

% **ORDER
22.05.2024**

1. Counsel for parties state that the matter has been settled before the Delhi High Court Mediation and Conciliation Centre by settlement agreement dated 20th May, 2024.
2. The settlement agreement has been signed by the authorised signatories of the parties as well as by their respective counsels.
3. The terms of settlement are extracted as under:



2. That Second Party assures and undertakes that it will not use whole or any portion of the said Mark in any way whatsoever. It is also agreed and undertaken by the Second Party that it shall immediately and forever refrain from using/infringing the trademark named as 'ESPACE', any and all direct or indirect uses including making websites of the said Mark and any and all derivations thereof and any and all marks that are confusingly similar with the said Mark.
3. That Second Party assures and undertakes that from immediately and in future it will refrain from using, making, on any website or advertisement, any and all direct or indirect uses, or uses by way of any photographs, marketing materials or any reference to the said Mark "ESPACE" (including any portions thereof),
4. That Second Party further undertakes and assures, that it will remove and destroy all the contents, materials, website, and the medium of all direct or indirect uses, or uses by way of any photographs, marketing materials or any reference to the said Mark "ESPACE" (including any portions thereof) and provide proof of the same to the First Party.
5. That both the parties have represented and assured that they have not filed any other case, complaint, suit or claim against each other before any other Court, Tribunal and/or an Authority. If any such or other case, complaint, suit or claim is pending, the First Party and the Second Party undertake to withdraw the same unconditionally and without any demur.
6. That upon the execution of the present settlement, First Party shall withdraw the present First Appeal (RFA IPD 3/2023), as the disputes stands mutually settled on execution of the present settlement agreement.



4. The Court has perused the terms of settlement and finds that they are lawful and acceptable.
5. The parties shall remain bound by the terms of settlement.
6. The appeal is disposed of in terms of the above settlement. Pending applications, if any, are rendered infructuous.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 22, 2024

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