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

+ **CS(COMM) 148/2020, I.A. 13343/2022**

AKTIEBOLAGET VOLVO & ORS. Plaintiffs

Through: **Mr. Karan Kamra and
Ms. Vaishali Mittal, Advocates.**

versus

SPARSH INDUSTRIES Defendant

Through: **Mr. Abhishek Pareek, Advocate.**

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
22.02.2024**

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1. Pursuant to order dated 07th February, 2024, the Plaintiffs' counsel has received instructions that Plaintiffs are agreeable to the proposal of the Defendant, which has been noted in the aforesaid order.
2. In view of the above, with the consent of the parties, the following directions are issued:
 - 2.1. The suit is decreed in favour of the Plaintiffs and against the Defendant in terms of paragraphs 69(a) to (d) of the plaint.
 - 2.2. As regards reliefs of rendition of accounts and damages, sought in paragraph 69(e) and (g) of the plaint, the suit is decreed in favour of the Plaintiff and against the Defendant for an amount of Rs. 1,25,000/-. The Defendant shall pay the aforesaid amount within three weeks from today.
 - 2.3. The Defendant shall also file the necessary form with the Trademarks



Registry for withdrawal of their trademark application No. 3311594 in class 04, within two weeks from today. As and when such a request is made, the same shall be expeditiously processed by the Trademarks Registry.

3. No directions are necessary in respect of prayer contained in 69(f) of the plaint as the Defendant has confirmed that they do not have any stock,



which bears the impugned marks “SP VOLVOIL”, “



VOLVO”, and “

4. In view of the fact that the suit is been decreed on consent terms, the Plaintiffs’ request for refund of court fee is allowed. Registry is directed to issue a certificate for refund of full court fees in favour of the Plaintiffs.

5. The suit is decreed in the above terms.

6. Decree sheet be drawn up.

SANJEEV NARULA, J

FEBRUARY 22, 2024

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