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

+ EX.P. 35/2022, EX. APPL.(OS) 3075/2022

TOMMY HILFIGER EUROPE BV

..... Decree Holder

Through: Mr. Dhruv Anand, Ms. Udit Patro,
Ms. Sampurnaa Sanyal, Ms. Nimrat
Singh, Mr. Dhananjay Khanna, Advs.

versus

MS ORIGINALS CLOTHING AND ORS Judgement Debtors

Through: Mr. A. Karthik, Ms. Smrithi Suresh,
Ms. Samiksha, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

19.01.2024

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1. This is an execution petition seeking compliance of the order and judgment dated 31.01.2022 passed by this Court in CS (COMM.) 298/2021 by directing the judgment-debtor to immediately refrain from importing, manufacturing, warehousing, selling and/or offering for sale, advertising, directly or indirectly dealing, in any manner, including on the internet or through social media platforms, any goods including t-shirts and other apparel bearing the registered 'Tommy Hilfiger' trademarks of the Decree Holder.

2. Mr. Anand, learned counsel for the petitioner states that the matter has been settled before the Delhi High Court Mediation and Conciliation Centre on 20.09.2023. The settlement is on record.



3. In view of the settlement and binding the judgment-debtor to the obligations of the settlement agreement dated 20.09.2023, the decree-holder does not press the present execution petition.

4. In case there is any violation of the settlement terms, the decree-holder shall be at liberty to revive the present execution petition and/or also initiate action for contempt.

5. The parties agree that the warehouse which was sealed pursuant to the order dated 03.06.2022 may be de-sealed so that the seized goods can be destroyed on a date and time mutually fixed by both the parties.

6. The judgment-debtor also undertakes to pay a sum of Rs. 5 lakhs, as per the settlement, within 2 weeks from today.

7. The petition is disposed of.

EX.APPL.(OS) 3853/2022

8. This is an application seeking deletion of M/s Originals Garment Store, DD Village, Thammanam, Kochi, Kerala 682032 from array of parties.

9. It is stated that the applicant is not a party to the suit or the settlement agreement.

10. For the said reasons, the applicant i.e. M/s Originals Garment Store, DD Village, Thammanam, Kochi, Kerala 682 032 is deleted from the array of parties.

11. The application is disposed of.

JASMEET SINGH, J

JANUARY 19, 2024/DM

Click here to check corrigendum, if any