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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 360/2021 & I.A. 9789/2021, I.A. 13792/2021, I.A.
44780/2024

NORTHLAND RUBBER MILLS

.....Plaintiff

Through: Mr. Rajesh Sharam and Ms.
Shailender Kumar, Advocates
Mob: 9312400662
Email: thecaltrade@gmail.com

versus

VARUN MAHAJAN & ANR.

.....Defendants

Through: Mr. Satish Kumar, Mr.
Amit Kumar and Ms. Yashodhara,
Advocates
Mob: 8510062329
Mr. Rajive Bhalla, Sr. Advocate with
Mr. Shubham Bhalla and Ms. Aadya
Kapoor, Advocates for Mr. Anil
Mahajan
Mob: 9654427273
Email: shubhambhalla@hotmail.com
Ms. Tasha Singh, Advocate for Mr.
Sunil Mahajan, Mr. Dhruv Mahajan
and Ms. Sonia Mahajan (applicants)
Mob: 9910026910

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
12.11.2024

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I.A. 44780 /2024 (Application under Order XXIII Rule 3 CPC)

1. The present application has been filed under Order XXIII Rule 3 read



with Section 151 of the Code of Civil Procedure, 1908 (“CPC”) for recording a compromise, and passing a decree in terms of the compromise dated 31st August, 2024.

2. The plaintiff has filed the present suit for permanent injunction restraining the infringement of trademark, passing off of trademark, trade name and rendition of accounts, etc.

3. By way of the present application, it is submitted that the parties have now arrived at a compromise pursuant to the Settlement Agreement dated 31st August, 2024, on the terms and conditions, as mentioned in the Settlement Agreement, to which all the parties agreed before the Delhi High Court Mediation and Conciliation Centre.

4. Learned counsel appearing for the plaintiff submits that since in the present application, the signatures of the plaintiff were inadvertently not there, he has filed an application with respect thereto, confirming the prayer made in the present application that the suit be decreed in terms of the Settlement Agreement.

5. The statement made by learned counsel appearing for the plaintiff is recorded.

6. Learned counsel appearing for the defendants submits that they have no objection to the aforesaid prayer.

7. Learned counsel appearing for the parties confirm the terms of the settlement and submit that the suit be decreed in terms of the Settlement Agreement.

8. This Court has perused the terms of the settlement and finds the same to be lawful.

9. Accordingly, the present suit is decreed in terms of the Settlement



Agreement dated 31st August, 2024, which shall form part of the decree.

10. Parties are bound by the terms of the settlement.
11. Let decree sheet be drawn up.
12. The suit along with the pending applications, stands disposed of.
13. In view of the fact that complicated disputes between the parties have been settled by way of mediation, this Court places on record, its appreciation for Ms. Veena Ralli, the learned Mediator, in the present case.

MINI PUSHKARNA, J

NOVEMBER 12, 2024

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