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

+ **CS(COMM) 405/2021 & I.A. 11029/2021**

SHREE GHANTAKARAN PIPES PVT LTD & ANR.Plaintiffs

Through: Mr. Sachin Jain, Advocate

versus

PAWAN KUMAR

.....Defendant

Through: Mr. Prateek Bhardwaj, Advocate

Mob: 9911797747

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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22.07.2024

1. The present suit has been filed seeking permanent injunction restraining the defendant from infringement of registered trademark "MONICA GOLD", passing off/unfair competition, dilution and tarnishment, damages, rendition of accounts, delivery up, etc.
2. The parties were referred to mediation, wherein, they have successfully negotiated settlement and executed a Settlement Agreement dated 17th May, 2024.
3. Learned counsels appearing on behalf of the parties before this Court confirm the terms of settlement, and pray that the suit be decreed in terms, thereof.
4. This Court has perused the said terms and finds the same to be lawful. Under the agreement, the defendant has acknowledged that the plaintiffs are



the registered owner of the trademark “MONICA GOLD” under Class 17 and 19 of the Trade Mark Act, 1999.

5. It is recorded that the defendant has undertaken not to offer for sale or supply, sell, advertise, manufacture or cause to be manufactured, or in any way, deal in any products bearing the trademark “MONICA GOLD”, or any other deceptively similar trademark, that would result in the infringement of the registered trademark of the plaintiffs.

6. It is further recorded that the defendant has agreed and confirms that he has not filed and shall not make any other trademark application with respect to the registered trademark of the plaintiffs, or any other deceptively similar mark, thereto.

7. Accordingly, the present suit is decreed in favour of the plaintiffs and against the defendant, in terms of the Settlement Agreement dated 17th May, 2024, which shall form part of the decree.

8. The parties shall remain bound by the terms and conditions of the settlement.

9. In view of the fact that the parties have arrived at a compromise, Registry is directed to issue a certificate for refund of full Court fee in favour of the plaintiff.

10. Decree sheet be drawn up.

11. Accordingly, the suit, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

JULY 22, 2024
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