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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 1010/2024 & I.A. 44985-44986/2024, I.A. 44989/2024**
JRPL RICELAND LLPPlaintiff

Through: Mr Anil Kumar Sahu, Mr Satish
Kumar, Mr Syed A.N. Jah, Advocates

versus

SUSHIL KUMAR AGRO PVT. LTD.Defendant

Through: Advocate (Appearance not given)

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **05.12.2024**

I.A. 47362/2024 (O-XXIII Rule 3 of CPC)

1. This is a joint application filed under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 for recordal of compromise.

1.1 To be noted, the present suit concerns the use of impugned mark "BIRYANI KING" used by the defendant on its packaging/trade dress.

2. The application is duly signed by the representatives of plaintiff and defendant. The application is also supported by affidavits of the authorised representatives of the parties.

2.1 The terms of the settlement are detailed in paragraph 2 of the application.

3. I have gone through the terms of the settlement and find the same to be lawful.

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



settlement.

5. Therefore, the suit can be decreed in terms of the present application.

6. The application is disposed of.

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7. In view of the order passed above, the present suit is decreed in terms of the aforesaid application. The above captioned application shall form part of the decree.

6.1 To be noted, paragraph 7 of the said aforesaid application states that the parties have agreed that the suit be decreed in terms of prayer clauses (a), (b) and (c), detailed at paragraph 32 of the plaint while incorporating the terms of the aforesaid compromise.

8. Decree sheet be drawn up.

9. In view of the fact that the matter has been settled between the parties at an early stage, the Registry is directed to issue a certificate of refund of 100% of the Court Fees in favour of the plaintiff, in terms of Section 16 of the Court Fees Act, 1870.

10. All pending applications stand disposed of.

AMIT BANSAL, J

DECEMBER 5, 2024

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