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

+ **CS(COMM) 281/2024 & I.A. No. 1881/2025**

THE SCOTCH WHISKY ASSOCIATIONPlaintiff

Through: Mr. Jithin M. George, Advocate.
(M): 8447349731
Email: jithin@knspartners.com

versus

NEUWORLD SPIRITS PRIVATE LIMITEDDefendant

Through: Mr. Shailen Bhatia with Mr. Raghav
Bhalla and Ms. S. Venugopal,
Advocates.
(M): 9818558690

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
23.01.2025

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I.A. No. 1881/2025 (Joint Application for recording compromise arrived at between the parties)

1. The present is a joint application under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 ("CPC"), for recording of compromise arrived at between the parties.
2. The present suit has been filed to restrain the defendant from infringing the registered Geographical Indication (GI) "Scotch Whisky" by using the mark 'DOWNING STREET' and/or the description "Blended Scotch Whisky" on its website in relation to any whisky that is not Scotch Whisky, as it constitutes an act of unfair competition and passing off



amounting to infringement of the registered Geographical Indication ‘Scotch Whisky’ within the meaning of Sections 22(1)(a) and 22(1)(b) of the Geographical Indications of Goods (Registration & Protection) Act, 1999, along with other related reliefs also.

3. Learned counsels appearing for the parties submit that the parties have arrived at a settlement, terms of which, are contained in Para 2 of the present application.

4. Learned counsels appearing for the parties thus, submit that the suit be decreed in terms of the settlement between the parties.

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

6. Accordingly, considering the settlement between the parties, the suit is decreed in favour of the plaintiff and against the defendant in terms of the settlement between the parties, as contained in Para 2 of the present application, which shall form part of the decree.

7. The parties are held bound by the terms of the settlement.

8. In view of the fact that the parties have arrived at a settlement, Registry of this Court is directed to issue a certificate of refund of Full Court Fees in favour of the plaintiff.

9. At this stage, learned counsel appearing for the plaintiff submits that since the plaintiff is stationed outside the country, therefore, the refund may be granted through the counsel for the plaintiff.

10. Accordingly, it is directed that the refund of Court Fees shall be in the name of the counsel of the plaintiff i.e., “K&S Partners”.

11. Let decree sheet be drawn up.

12. Accordingly, the present suit, along with the pending application,



stands disposed of.

13. The next dates, i.e., 29th January, 2025 before Joint Registrar (Judicial) and 04th April, 2025 before Court, stand cancelled.

MINI PUSHKARNA, J

JANUARY 23, 2025

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