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

+ **CS(COMM) 345/2024 & I.A. 9490/2024**

KHADI & VILLAGE INDUSTRIES COMMISSIONPlaintiff

Through: Ms. Devyani Nath and Ms. Varni Sarin, Advocates.

versus

BALASAHEB WALNUJ & ORS.Defendants

Through: Mr. Chirag Jain and Mr. Kunal Goyal, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

04.04.2025

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1. Counsel for the defendants submits that the defendants no.1 to 4 have no objection if a decree of permanent injunction is passed against the them. He further submits that the defendants no.1 to 4 are willing to pay a sum of ₹ 50,000/- to the plaintiff towards costs and damages.

1.1 Costs of ₹ 50,000/- shall be paid within three (3) weeks from today, failing which the defendants no.1 to 4 shall be liable to pay interest on the aforesaid amount @ 9% per annum.

2. In view of the aforesaid oral settlement between the parties, a decree of permanent injunction is passed in favour of the plaintiff and against defendants no. 1 to 4 in terms of prayer clauses 52 (i) and 52 (ii) of the plaint.

3. Further, a decree in terms of prayer clause 52 (iii) is passed in favour



of the plaintiff directing the defendant no. 5, the Domain Name Registrar ('DNR') to transfer defendants no. 1 to 4's website www.yuvedskhadi.com in favour of the plaintiff, subject to the plaintiff providing requisite information and paying the transfer charges.

4. A decree in terms of prayer clause 52 (iv) is also passed in favour of the plaintiff, directing the defendants no. 1 to 4, not to use the e-mail avuvedskhadi@gmail.com.

5. In terms of prayer clause 52 (vi), the defendants no. 1 to 4 undertake to destroy all product packaging, invoices, letter head etc. bearing the



infringing marks 'AYUVED'S KHADI' / 'AYUVED'S khadi Herbal' / 'AYUVED'S khadi Herbal'.

6. Counsel for the plaintiff does not press for the remaining reliefs.

7. Since the matter has been settled at an initial 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.

8. All pending applications stand disposed of.

AMIT BANSAL, J

APRIL 4, 2025

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