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

+ **C.A.(COMM.IPD-TM) 32/2024**

**SUNFLAME ENTERPRISES P. LTD. ....Appellant**

Through: Mr. Nitin Sharma, Ms. Deepika  
Pokharia and Mr. Naman Tandon,  
Advs.

versus

**THE REGISTRAR OF TRADEMARKS  
& ANR.**

.....Respondents

Through: Ms. Avshreya Pratap Singh Rudy,  
Advocate with Ms. Usha Jamnal and  
Mr. Mohammad Junaid Mahmood,  
Advocates for R-1

Mr. Pranav Gupta, Mr. Nilesh Deep  
and Mr. Akash Chatterjee, Advocates  
R-2 (Through VC

**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

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**17.10.2025**

**C.A.(COMM.IPD-TM) 32/2024 and I.A. 26316/2025**(application under  
Order XXIII rule 3 read with section 151 CPC)

1. This is an application under Order XXIII Rule 3 read with section 151  
CPC, jointly filed by the Appellant and Respondent no. 2 for recording the  
settlement between the parties with respect to Respondent No. 2's Trade  
Mark Application no. 5231450.

2. The application is duly signed by the parties and is supported with



their affidavits.

3. Learned counsels for the parties jointly state that the terms of the compromise are set out at paragraph 2 of the captioned application.

4. Learned counsel for Respondent No. 2 states that Respondent No. 2 will abide by the terms and conditions of the settlement arrived at between the parties, which is mentioned at paragraph 2 of the captioned application.

5. He, however, prays that since paragraph 2(g) of the captioned application gives a time period of 18 months to Respondent No. 2 for applying and obtaining registration for its new proposed mark, the Registrar of Trademarks may be requested to expedite the Respondent No. 2 's proposed application.

6. He states that the fresh/proposed application will be filed within seven (7) days.

7. Learned counsel for the Appellant states that the Appellant will also abide by the terms and conditions of the settlement arrived at between the parties, which is mentioned at paragraph 2 of the captioned application.

8. Learned counsel for Respondent No. 1 states that Respondent No. 1 will abide by the directions issued by this Court.

9. Learned counsel for the parties pray for a disposal of this petition in terms of Order XXIII Rule 3 of CPC.

10. This Court has heard the learned counsels of the parties and also perused the compromise/settlement entered between the Appellant and the Respondent No. 2, recorder at paragraph 2 of the captioned application. The Court is satisfied that the said compromise satisfies the requirements of Order XXIII Rule 3 of CPC. The compromise contained in the captioned application is lawful and therefore, there is no impediment in disposing of



the petition in terms of the settlement arrived at between the parties.

11. Consequently, the application is allowed and the petition is disposed of in favour of the Appellant and against the Respondent no. 2 in terms of the terms and conditions of settlement recorded in the captioned application.

12. The parties are bound down to these terms and conditions.

13. Respondent No. 1 is directed to process the proposed/fresh application of Respondent No. 2 for its proposed device/logo/label expeditiously and in accordance with the Rules.

14. In case, there is any breach on part of the Respondent No. 2, the Appellant will be at liberty to avail its remedies in accordance with law, including revival of this appeal.

15. The present appeal stands disposed of.

16. Pending applications, if any, are disposed of.

17. All future dates stand cancelled.

**MANMEET PRITAM SINGH ARORA, J**

**OCTOBER 17, 2025/msh/IB.**