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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 914/2025, CAV 329/2025, I.A. 21280/2025, I.A. 21281/2025, I.A. 21282/2025, I.A. 21283/2025 & I.A. 21284/2025
MANKIND AGRITECH PRIVATE LIMITEDPlaintiff
Through: Mr. Chander M. Lall, Senior Advocate with Mr. Ankur Sangal, Mr. Ankit Arvind, Mr. Raghu Vinayak Sinha and Ms. Nidhi Pathak, Advocates.

versus

BLOOM SEAL CONTAINERS PRIVATE LIMITED & ANR.Defendants
Through: Mr. Arvind Nayyar, Senior Advocate with Mr. Afzal B. Khan, Mr. Debjyoti Sarkar, Ms. Suhrita Majumdar, Mr. Dominic Alvares, Ms. Diksha Dadu and Mr. Akshay Joshi, Advocates for D1.
Mr. Arvind Nigam, Senior Advocate with Ms. Bitika Sharma, Ms. Vrinda Pathak, Mr. P.S. Manjunathan and Ms. Sandhya Kukreti, Advocates for D2.

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

% **ORDER**
29.08.2025

1. Let the Complaint be registered as a Suit.
2. Issue Summons. The learned Senior Counsel for Defendant Nos. 1 and 2, appearing on advance service, accept Summons.
3. Mr. Nayyar, learned Senior Counsel appearing for Defendant No. 1



and Mr. Nigam, learned Senior Counsel appearing for Defendant No. 2 submit that Defendant No. 1 has already undertaken in its Reply dated 20.08.2025 that:

“a. Not to manufacture, sell and/or in any manner use the bottle identified in your notice dtd. April 02, 2025 and/or any other bottle which infringes your Client’s Registered Design Nos 368050-001, 368051-001, 368052-001 or causes passing off of the trade dress of your Client’s bottles as identified in your notice dtd. April 02,2025.

b. To issue a no objection to a cancellation proceeding to be initiated by your Client against our Client’s registered Design No. 384555-001.

c. That it has not applied for nor registered any Design that may be alleged to be similar to your Client’s Registered Design Nos 368050-001, 368051-001, 368052-001.”

4. Mr. Lall, learned Senior Counsel for the Plaintiff submits that if this undertaking is taken on record and the Defendant Nos. 1 and 2 agree to be bound by this undertaking, nothing further survives in this Suit and in view of the above, no further prayers are pressed if the undertaking forms a part of the order.

5. Accordingly, the Suit is disposed of with a direction that Defendant Nos. 1 and 2 shall continue to be bound by the undertaking given by Defendant No. 1 *vide* its Reply dated 20.08.2025 as stated in Paragraph No. 3 above, which is reproduced as under:

“a. Not to manufacture, sell and/or in any manner use the bottle identified in your notice dtd. April 02, 2025 and/or any other bottle which infringes your Client’s Registered Design Nos 368050-001, 368051-001, 368052-001 or causes passing off of the trade dress of your Client’s bottles as identified in your notice dtd. April 02,2025.

b. To issue a no objection to a cancellation proceeding to be initiated by your Client against our Client’s registered Design No. 384555-001.



c. That it has not applied for nor registered any Design that may be alleged to be similar to your Client's Registered Design Nos 368050-001, 368051-001, 368052-001."

6. Pending Applications also stand disposed of.
7. In view of the fact that the matter has been settled 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.
8. It is however, made clear that in case any dispute arises between the Parties and in the event, either Party approaches this Court for enforcement of the Settlement Agreement/ Decree, the said Party or Parties will become liable to pay the entire Court Fees thereon.

TEJAS KARIA, J

AUGUST 29, 2025/sms