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

I.A. 8851/2024 and I.A. 49029/2024

In

+ **CS(COMM) 717/2023**

THE INDIAN HOTELS COMPANY LIMITEDPlaintiff

Through: Mr. Pravin Anand, Mr. Achutan Shreekumar, Mr. Rohil Bansal and Mr. Swastik Bisarya, Advocates.

versus

GAURAV ROY BHATT & ANR.Defendants

Through: Mr. Abhayanand, Advocate.
Mr. Gaurav Roy Bhatt, D-1 present-in-person.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **24.01.2025**

I.A. 19926/2023 (Seeking appointment of Local Commissioner)

1. This application has already been disposed of *vide* order dated 5th November, 2024.

2. The Registry is directed to mark this application as disposed of.

CS(COMM) 717/2023

3. Counsel for the defendants, on instructions from the defendant no.1 who is present in Court, submits as under:-

(i) The defendants have no objection if a decree of permanent injunction is passed in terms of prayer clauses 79 (i) to 79 (iv)



and 79 (vi) of the plaint.

- (ii) Insofar as prayer clause 79 (v) is concerned, it is stated that the defendants have stopped using the domain name 'www.tajweddingfilms.com'. This statement is taken on record.
- (iii) Insofar as prayer clause 79 (vi) is concerned, the defendants submit that they have sent communications seeking permanent takedown to all online social media pages where the impugned mark has been posted. The defendants shall share copies of such communications with the counsel for the plaintiff within one week from today.

- 4. Counsel for the plaintiff does not press for the relief of damages and costs.
- 5. A decree in the aforesaid terms is passed in favour of the plaintiff and against the defendants.
- 6. Decree sheet be drawn up.
- 7. In view of the suit being decreed the I.A. 19925/2023, 8851/2024 and 49029/2024 are disposed of.
- 8. Counsel for the plaintiff presses for the prayer clause 79 (vii) for

declaring the plaintiff's registered trademarks TAJ and '  ' as well-known trademarks under the provisions of Section 2 (1) (zg) r/w Section 11(6) of the Trademarks Act, 1999.

8.1 The plaintiff shall file an affidavit in support of the aforesaid prayer within two weeks from today.

- 9. Counsel for the defendants, on instructions, submits that the



TAJ

defendants have no objection if the plaintiff's marks TAJ and are declared as well-known trademarks.

10. List before the Joint Registrar for marking of exhibits on 25th February, 2025.

CC(COMM) /2024 (to be numbered)

11. This counter-claim has been filed by the defendants which is yet to be numbered.

11.1 The Registry is directed to register and number the counter-claim of the defendants.

12. In view of the settlement recorded above, counsel for the counter-claimants seek to withdraw the present counter-claim.

13. 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 the entire Court Fees in favour of the counter-claimants, in terms of Section 16 of the Court Fees Act, 1870, as applicable to Delhi.

AMIT BANSAL, J

JANUARY 24, 2025

Vivek/-