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

+ **C.O. (COMM.IPD-TM) 210/2024**

CP WHOLESALE INDIA PRIVATE LIMITEDPetitioner
Through: Mr. Udayvir Rana & Ms. V. Mohini,
Advocate.

versus

NITISH AGRAWAL & ANR.Respondents
Through: Mr. Shivam Gautam & Mr. Samyak
Jain, Advocates.

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+ **CS(COMM) 907/2024 & I.A. 42456/2024**

CP WHOLESALE INDIA PRIVATE LIMITEDPlaintiff
Through: Mr. Udayvir Rana & Ms. V. Mohini,
Advocate.

versus

SANDEEP KUMAR MITTAL TRADING
AS ARIHANT SOLUTIONS & ORS.Defendants
Through: Mr. Shivam Gautam & Mr. Samyak
Jain, Advocates.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
30.04.2025

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I.A.10863/2025 (under Order XXIII Rule 3 of the CPC) in CS(COMM) 907/2024

1. This is a joint application filed on behalf of the parties under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 for recording of compromise arrived at between the parties.



2. The application has been duly signed by the authorised signatories of the parties as well as their respective counsel. The application is also supported by affidavits of the authorised representatives of the plaintiff as well as the defendants.
3. The terms of the settlement are recorded in paragraph no. 3 of the application.
4. I have gone through the terms of the settlement and find the same to be lawful.
5. The parties shall remain bound by the terms of the settlement.
6. The application is accordingly disposed of.

CS(COMM) 907/2024

7. In view of the order passed above in I.A.10863/2025, a decree of permanent injunction in terms of prayer clauses 36(a), 36(b), 36(c), 36(d) and 36(e) of the plaint is passed in favour of the plaintiff and against the defendants.
8. The plaintiff does not wish to press for the remaining reliefs prayed for in the plaint.
9. Decree sheet be drawn up. I.A.10863/2025 shall form a part of the decree.
10. In view of the fact that the matter has been settled between the parties, the Registry is directed to issue a certificate of refund of 50% of the Court Fees in favour of the plaintiff, in terms of Section 16A of the Court Fees Act, 1870.
11. All the pending applications stand disposed of.

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12. In view of the settlement arrived at between the parties and the order



passed above, the defendants shall take steps to file an application seeking cancellation of the registration no. 5804152 for the mark 'LOTS HUB' in Class 35, in the name of defendant no. 3 (Nitish Agrawal)/ respondent no.1 within 21 days from today.

13. In view of the aforesaid settlement, counsel for the petitioner does not press this petition.

14. Respondent no.1 shall be bound by the aforesaid terms of the settlement.

15. The petition is dismissed as not pressed.

AMIT BANSAL, J

APRIL 30, 2025

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