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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 1209/2024 & I.A. 49870/2024 I.A. 2809/2025 I.A.
2818/2025

NILKAMAL CRATES AND CONTAINERS & ANR.Plaintiffs

Through: Mr. Neeraj Bhardwaj and Mr. N.K.
Bhardwaj, Mr. Bikash Ghorai and Mr.
Rahul Maratha, Advs.

versus

MVS INDUSTRIES PVT LTDDefendant

Through: Mr. Praveen Kumar and Mr. Rishi
Raj, Advs.

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER
06.11.2025

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1. This order is being passed in furtherance of order dated 16.10.2025.
2. Learned counsel for the defendant states that defendant is willing to pay a sum of Rs. 7.5 lakhs to the plaintiff in full and final settlement of plaintiff's claim for damages and legal costs. He states that he has brought before this Court a demand draft drawn in favour of the plaintiff no. 1. He states that suit may be disposed of by passing a decree of permanent injunction.
3. Learned counsel for the plaintiff states that plaintiff has no objection to the defendant's use of the device which appears as under:



4. He states that in addition to sum of Rs. 7.5 lakhs towards damages and costs; a decree for permanent injunction be passed in favour of the plaintiff and against the defendant in terms of prayer clause at paragraph 47 (i) to (iv) of the plaint.

5. This Court has considered the submission of the parties and the suit is being decreed in the following terms:

- a. The demand draft of Rs. 7.5 lakhs has been handed over to the learned counsel for the plaintiff, which the plaintiff will encash and the reliefs for damages, rendition of accounts and costs are disposed of.
- b. A decree of permanent injunction is hereby passed in favour of the



plaintiff and against the defendant in terms of paragraph 47 (i) to (iv) of the plaint. However, the defendant is granted liberty to use its proposed device mark extracted above. The defendant is directed to file an affidavit enclosing the proposed device mark within a period of two (2) weeks.

- c. The defendant will be at liberty to dispose of its seized goods to a scrap dealer; however, in case defendant decides to retail these goods he shall do so after removing the impugned mark from the goods.
 - d. The defendant will also destroy the packaging material and stickers bearing the impugned marks which were seized during the local commission, within four (4) weeks from today. Learned counsel for the defendant will issue an email to the learned counsel for the plaintiff confirming destruction of the packaging and material, within five (5) weeks from today.
6. The suit is decreed in the aforesaid terms. The registry is directed to draw up a decree.
 7. All pending applications disposed of.
 8. All future dates stand cancelled.
 9. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 6, 2025/hp