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

\# **CNR No. DLHC010390862025**

\+ CS(COMM) 640/2025 and I.A. 15029/2025

HERO INVESTCORP PRIVATE LIMITED & ANR. .....Plaintiffs

Through: Ms. Aastha Sharma, Mr. Armaan Bhardwaj, Advocates

versus

ASHOK KUMAR UNKOWN .....Defendant

Through: Mr. Md. Tufail, defendant in person

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

O R D E R

% 07.10.2026

1. The present suit has been filed by the plaintiffs seeking a decree of permanent/perpetual injunction, infringement of trademark, copyright and passing off, along with delivery up, rendition of accounts, damages etc. on the *John Doe* principle.

2. After the execution of the commission by the learned Local Commissioner, the plaintiffs filed an application under Order I Rule 10 CPC, which was allowed by this Court *vide* order dated 02.12.2025, and Mr. Md. Tufail was impleaded as a defendant in the suit.

3. During the pendency of the present suit, the parties were referred to mediation, where they arrived at a settlement, terms whereof were reduced to writing in a settlement agreement dated 03.09.2026. A copy of settlement agreement dated 30.09.2026 has been received from the Mediation Centre and is on record.

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4. The Settlement agreement has been signed by the plaintiffs' authorised representative as well as the defendant, and by the learned counsel for the parties.

5. This court has perused the terms of settlement, and the same appears to be lawful.

6. In view of the above, there is no impediment in recording the terms of settlement and decreeing the suit in terms of the settlement.

7. Accordingly, the suit is decreed in terms of settlement agreement dated 03.09.2026, which shall form part of the decree.

8. Let decree be drawn in above terms.

9. Learned counsel for the plaintiffs submits that, since the parties have settled the matter through mediation, appropriate directions may be issued for refund of the court fees paid on the plaint.

10. Having regard to the fact that the present suit is being disposed of in light of the mediation settlement between the parties, this Court is of the view that the plaintiffs are entitled to refund of full court fees affixed on the plaint.

11. Accordingly, the Registry of this Court is directed to issue a certificate to the plaintiffs for refund of full court fees.

12. The pending applications, if any, are also disposed of.

VIKAS MAHAJAN, J

OCTOBER 7, 2026/*tp/VB*

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