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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 758/2024 & I.A. 38333/2024, 175/2025**
M/S BALAJI FOOD PRODUCTSPlaintiff

Through: Mr. Junaid Alam, Advocate.

versus

KAYBEE INDUSTRIAL HOUSE PVT LTDDefendant
Through: Ms. Suman Gupta, Advocate.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
13.03.2026

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1. This suit is instituted on behalf of the Plaintiff seeking relief of permanent injunction restraining the Defendant and all others acting on its behalf from manufacturing, soliciting, selling, offering for sale, importing, exporting and advertising in any manner, including on internet and e-commerce platforms and/or directly or indirectly using impugned trade



dress/packaging/artistic work / and/or any other trade dress/packaging/artistic work deceptively similar to Plaintiff's trade



dress/packaging/artistic work / , among other reliefs.

2. During the pendency of the suit, parties were referred for mediation to



the Delhi High Court Mediation and Conciliation Centre, where they have amicably resolved their *inter se* disputes and a Settlement Agreement has been executed on 18.11.2025, incorporating the terms of settlement, wherein Defendant has acknowledged the proprietary rights of the Plaintiff in its trade dress and has agreed to transition to a new trade dress. Copy of the revised trade dress proposed to be used by the Defendant and agreed to by the Plaintiff forms part of the Settlement Agreement as Annexure-C. Defendant has also agreed to pay a sum of Rs. 1,75,000/- to the Plaintiff, which admittedly stands paid. Plaintiff has agreed to forgo the reliefs in paragraph 50(ii), (iv), (v), (vi), (vii), (viii) and (ix) of the plaint.

3. Court has perused the terms of settlement and finds the same to be lawful. Accordingly, the suit is decreed in terms of the Settlement Agreement and paragraph 50(i), (iii) of the plaint.

4. Registry is directed to draw up the decree sheet.

5. Suit is disposed of along with pending applications.

6. Plaintiff is held entitled to refund of entire court fees in accordance with Court Fees Act, 1870.

JYOTI SINGH, J

MARCH 13, 2026/VP