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

+ **CS(COMM) 135/2017**

RAJIV JAIN

.....Plaintiff

Through: Mr. Amit Jain and Mr. Vikrant
Malhotra, Advocates.

versus

SHRI RAM INDUSTRIES

.....Defendant

Through: Mr. Medhanshu Tripathi, Mr. Tushar
Tokas, Mr. Pranjay Tripathi and Ms. Arvinder
Kaur, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

06.04.2026

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I.A. 8991/2026

1. This application is filed by the Plaintiff and Defendant jointly under Order XXIII Rule 3 read with Section 151 CPC for recording settlement between them and passing a consent decree.
2. This suit was instituted by the Plaintiff against the Defendant *inter alia* seeking decree of permanent injunction restraining infringement of trademark SUHANA registered in Class 11 as also restraint from passing off and infringement of copyrights. By interim order dated 05.12.2014, Court restrained the Defendant from using the trademark SUHANA or any other deceptively similar mark in respect of desert coolers and parts thereof, electric cooler, motor, cooler pump, A.P. fan, exhaust fan, geyser, heat convector and other electrical appliances.



3. During the pendency of the suit, parties have amicably settled their disputes and Defendant has acknowledged the proprietary rights of the Plaintiff in trademark SUHANA under Class 11 and has undertaken not to file any rectification against Registration No. 572598. Defendant has also undertaken that it shall permanently refrain from using the trademark SUHANA or SHYAM SUHANA and/or any other deceptively similar mark to Plaintiff's registered trademark SUHANA in Class 11 and/or refrain from infringing Plaintiff's copyright and/or passing off its goods as those of the Plaintiff and/or that Defendant shall not manufacture in future any electric product under Class 11 bearing the aforesaid two marks. Defendant has also undertaken to pay sum of Rs. 20 lakhs to the Plaintiff, if it is found in breach of any undertaking, which is part of the settlement. The terms of settlement are incorporated in the application.

4. Court has perused the terms of settlement and finds the same to be lawful. Accordingly, this application is allowed and disposed of, recording the settlement between the parties.

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5. As noted above, parties have amicably settled the *inter se* disputes and in light of thereof, it is jointly prayed that the suit be decreed in terms of paragraph 26(a) to 26(c) of the plaint read with the terms of settlement.

6. Accordingly, the suit is decreed in terms of paragraph 26(a) to 26(c) of the plaint read with the terms of settlement as incorporated in I.A. No. 8991/2026.

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

8. Suit stands disposed of.

9. Plaintiff is held entitled to refund of entire court fees in accordance



with the Court Fees Act, 1870.

10. Date of 08.04.2026 before Joint Registrar stands cancelled.

JYOTI SINGH, J

APRIL 6, 2026/YA