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

+ **CS(COMM) 1019/2024**

M/S BLUE HEAVEN COSMETICS PVT LTDPlaintiff

Through: Mr. Rishabh Srivastava, Ms.
Yasheswini Sharma and Mr. Sahil Gupta,
Advocates.

versus

MR RAM NATH THAKUR TRADING AS MISTI PRODUCT

.....Defendant

Through: Mr. Ankit Banati, Mr. Deepak
Mahajan and Ms. Divya Narang, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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16.03.2026

I.A. 6510/2026

1. This joint application is filed on behalf of the parties under Order XXIII Rule 3 read with Section 151 CPC for recording the settlement between the parties.

2. During the pendency of the suit, parties have amicably settled their disputes and terms of settlement have been incorporated in paragraph 3 of the application. It is, however, jointly submitted by the counsels that it is inadvertently recorded in paragraph 3.3 of the application that Defendant will destroy the available existing stock of impugned products, whereas no such products exist and therefore, Defendant be absolved of this undertaking.



3. Court has perused the terms of the settlement and finds the same to be lawful.

4. Accordingly, for the reasons stated in the application, the same is allowed and disposed of, recording the settlement between the parties with the modification, as aforementioned.

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5. This suit is instituted on behalf of the Plaintiff *inter alia* seeking a decree of permanent injunction restraining the Defendant and all others acting on its behalf from selling, offering for sale, advertising, directly or indirectly dealing with the impugned goods bearing the impugned packaging/trade dress/colour scheme/overall getup



and the impugned trademarks “” and “**DECORATOR**” and/or any other trade dress/packaging or trademark deceptively similar to Plaintiff’s marks





, amongst other reliefs.

6. Parties have amicably settled their disputes and terms of settlement have been incorporated in the application. Accordingly, the suit is decreed in terms of the settlement between the parties read with paragraph 50 (i) and (ii) of the plaint and 50 (v) to the extent of damages agreed upon between the parties. Plaintiff does not press the remaining reliefs.
7. Registry is directed to draw up the decree sheet.
8. Suit is disposed of along with the pending applications.
9. Plaintiff is held entitled to refund of entire court fees in accordance with the Court Fees Act, 1870.
10. Date of 05.05.2026 stands cancelled.

JYOTI SINGH, J

MARCH 16, 2026/RW