

CS (COMM.) NO. 259/2023
GOLDMEDAL ELECTRICALS PVT.LTD.
VS.
K. DALPAT SINGH

10.10.2025

File is taken up today on a joint application under Order XXIII Rule 3 CPC read with S. 151 CPC moved on behalf of both the sides seeking consent decree.

Present: Sh. Kamal Naresh, Counsel for Plaintiff.
Sh. Aditya Vats Sharma, Advocat for Defendant
alongwith Defendant.

Heard on the aforesaid application. Record perused.

It is jointly submitted on behalf of both the sides that parties have arrived at out of court settlement and the defendant has agreed, *inter alia*, that the defendant shall not use the impugned trade marks **GOLDMEDAL** or **G GOLDMEDAL**, **GOLDMehal**, **G GOLDMEHAL** or any other identical or deceptively similar trade mark on any goods and services thereby infringing plaintiff's registered trade mark, copy right and passing off its goods and business as that of the goods and business of the plaintiff. Therefore, it is jointly prayed that the consent decree may be passed in terms of settlement/application under Order XXIII Rule 3 read with S. 151 CPC.

Separate statements of counsel of plaintiff and defendant are recorded in this regard. The joint application under Order XXIII Rule 3 CPC is Ex. PX (Colly).

This is a suit for permanent injunction restraining infringement of trade marks, copyright, passing off, damages,

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rendition of accounts etc. filed by the plaintiff against the defendant.

Having considered the submissions made on behalf of both the sides, in view of said application/settlement [Ex.PX (Colly)] and keeping in view overall facts and circumstances of the case, the suit is decreed in favour of plaintiff and against the defendant in terms of settlement [Ex.PX (Colly)] and the statement of the parties. The settlement [Ex.PX (Colly)] and the statement of the parties shall form part and parcel of the consent decree. Decree sheet be drawn accordingly.

Parties shall remain bound by their respective statements and the settlement.

In view of above, the application under consideration stands disposed off.

The next date given in this case is hereby cancelled.

File be consigned to record room, after due compliance.

Balwant Rai Bansal
District Judge (Commercial Court)-02
Patiala House Court, New Delhi.
10.10.2025