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**IN THE HIGH COURT OF DELHI  
(ORIGINAL ORDINARY CIVIL JURISDICTION)  
CS (COMM) No. 981 of 2018**

**Sun Pharmaceutical Industries Ltd.**

**...Plaintiff**

*Versus*

**Parul Health Care P. Ltd. & Anr.**

**...Defendants**

**MEMORANDUM OF PARTIES**

**Sun Pharmaceutical Industries Limited**

8C, 8<sup>th</sup> Floor, Hansalaya Building  
15, Barakhamba Road  
Connaught Place  
New Delhi - 110 001  
[prahsant.mule@sunpharma.com](mailto:prahsant.mule@sunpharma.com)

**...Plaintiff**

*Versus*

**Parul Health Care Private Limited**

SPU-W2-211, Lajwanti Gardens  
New Delhi - 110 046  
[info@pharmakonlifesciences.com](mailto:info@pharmakonlifesciences.com)

**...Defendant No. 1**

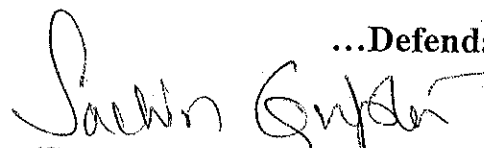
**M/s Amree Pharmaceuticals**

Plot No. 1, Street No. 10  
Kaithal Road  
Karnal, Haryana - 132 001  
[info@amreepharma.in](mailto:info@amreepharma.in)

**...Defendant No.2**

Place: New Delhi

Date: 29<sup>th</sup> June, 2018

  
**(Sachin Gupta & Associates)**  
**Advocates for the Plaintiff**  
A-1, Vasant Kunj Enclave  
New Delhi 110 070  
E: [info@sgassociate.com](mailto:info@sgassociate.com)  
M: 98111 80270 T: 6565 7889

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**Examiner Judicial Department  
High Court of Delhi  
Authorised Under Section 75  
Indian Evidence Act.**

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

+ **CS(COMM) 981/2018 & I.A. 8266/2018**

**SUN PHARMACEUTICAL INDUSTRIES LTD. .... Plaintiff**  
Through **Mr. Sachin Gupta and Ms. Surabhi Grover, Advs.**

versus

**PARUL HEALTH CARE PRIVATE LIMITED & ANR. . Defendants**  
Through **Mr. Mitabh Gosain, Adv. for D-1.**  
**Mr. Aruni Poddar, Adv. for D-2.**

**CORAM:**  
**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**  
**13.08.2018**

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Present suit has been filed for permanent injunction restraining infringement of trade mark, passing off, unfair competition, rendition of accounts of profits/damages, delivery up, etc.

This Court vide order dated 02<sup>nd</sup> July, 2018 had passed an ex-parte ad interim order restraining the defendants from manufacturing selling, offering for sale, advertising, directly or indirectly dealing in medicinal preparations under the mark TKCZINE or any other trade mark which may be deceptively similar to the plaintiff's trade mark TECZINE in any manner whatsoever.

Today, learned counsel for both the defendants state that they have no objection to the present suit being decreed in accordance with para 29 (a) & (b) of the plaint.

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**Examiner Judicial Department**  
**High Court of Delhi of**  
**Authorised Under Section 70**  
**Indian Evidence Act.**

Learned counsel for defendant no.1 further states that the defendant no.1 is willing to pay cost of Rs.2,00,000/- to the plaintiff.

In view of the aforesaid statements, learned counsel for plaintiff does not wish to press for any other and/or further reliefs in the present suit.

The statements made by learned counsel for parties are accepted by this Court and the parties are held bound by the same.

Today in Court, learned counsel for defendant no.1 has handed over to learned counsel for plaintiff a demand draft of Rs. 2,00,000/- dated 19<sup>th</sup> July, 2018 drawn on HDFC Bank, Branch Model Town, Karnal. Learned counsel for plaintiff has accepted the aforesaid cheques in full and final settlement.

Consequently, the present suit is decreed in accordance with para 29(a) & (b) of the plaint. Registry is directed to prepare a decree sheet accordingly.

Registry is also directed to issue to the plaintiff a certificate authorizing it to receive back from the Collector half the amount of the Court fee paid by it in the present suit.

The present suit and pending application stand disposed of.

*Sd/-*  
MANMOHAN, J

AUGUST 13, 2018

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By  
Examiner Judicial Department  
of Court of Delhi of  
Authorized Under Section 27  
Indian Evidence Act.

**(DECREE IN A SUIT FOR PERMANENT INJUNCTION ETC.)**

IN THE HIGH COURT OF DELHI AT NEW DELHI  
(ORDINARY ORIGINAL CIVIL JURISDICTION)

**CS(COMM) No.981/2018**

Sun Pharmaceutical Industries Limited  
8C, 8<sup>th</sup> Floor, Hansalaya Building  
15 Barakhamba Road,  
Connaught Place  
New Delhi – 110001  
[prahsant.mule@sunpharma.com](mailto:prahsant.mule@sunpharma.com)

...Plaintiff

Versus

1. Parul Health Care Private Limited  
SPU-W2-211, Lajwanti Gardens  
New Delhi – 110046  
[info@pharmakonlifesciences.com](mailto:info@pharmakonlifesciences.com)

2. M/s Amree Pharmaceuticals  
Plot No.1, Street No.10,  
Kaithal Road,  
Karnal, Haryana – 132001  
[info@amreepharma.in](mailto:info@amreepharma.in)

...Defendants

Value of suit for  
purpose of jurisdiction : Rs. 1,00,08,000/-

Court fee paid : Rs. 1,01,000/-

Plaint presented on : 30.06.2018

**CLAIM:** FOR PERMANENT INJUNCTION RESTRAINING  
INFRINGEMENT OF TRADE MARK, PASSING OFF, UNFAIR  
COMPETITION, RENDITION OF ACCOUNTS OF  
PROFITS/DAMAGES, DELIVERY UP, ETC.

**THIS THE 13<sup>TH</sup> DAY OF AUGUST, 2018**

**CORAM: HON'BLE MR. JUSTICE MANMOHAN.**

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Examiner Judicial Department  
Court of Delhi  
Notarised Under Section 7  
Indian Evidence Act

**FOR THE PLAINTIFF:** Mr. Sachin Gupta,  
Ms. Surabhi Grover, Advocates.

**FOR THE DEFENDANTS:** Mr. Mitabh Gosain, Advocate  
for Defendant No.1,  
Mr. Aruni Poddar, Advocate  
for Defendant No.2.

This suit coming on this day for final disposal before this Court in the presence of counsel for the parties as aforesaid; it is ordered that a decree of permanent injunction be and the same is hereby passed in favour of the plaintiff and against the defendants restraining the Defendants, their directors, partners or proprietors, as the case may be, their assignees in business, distributors, dealers, stockists, retailers/chemists, servants and agents, from:

- (a) manufacturing, selling, offering for sale, advertising, directly or indirectly dealing in medicinal preparations under the impugned mark **TKCZINE** or any other trade mark as may be deceptively similar to the Plaintiff's well-known trade mark **TECZINE** amounting to infringement of Plaintiff's well-known trade marks under no. 1642068 and 3282144;
- (b) manufacturing, selling, offering for sale, advertising, directly or indirectly dealing in medicinal preparations under the impugned mark **TKCZINE** or any other trade

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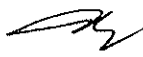
Examiner Judicial Department  
City Court of Delhi  
Authenticated Under Section 27  
Indian Evidence Act.

mark as may be deceptively similar to the Plaintiff's well-known trade mark **TECZINE** amounting to passing off of the Defendants' goods and business for those of the Plaintiff's.

It is further ordered that a decree is also hereby passed in view of the following statements given by learned counsel for the parties as under:-

- The defendants have no objection to the present suit being decreed in accordance with para 29(a) & (b) of the plaint.
- The defendant no.1 is willing to pay cost of Rs.2,00,000/- to the plaintiff.
- In view of the aforesaid statements, the plaintiff does not wish to press for any other and/or further reliefs in the present suit.

It is further ordered that the statements given by learned counsel for the parties in the court today i.e. on 13.08.2018 are accepted by this Court and parties are held bound by the same.

  
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Ex-Officio Judicial Department  
High Court of Delhi of  
Admitted Under Section 20  
Indian Evidence Act

Given under the hand and seal of **Hon'ble Mr. Justice  
Rejendra Menon, Chief Justice** of the High Court of Delhi at  
New Delhi, this the 13<sup>th</sup> day of August, 2018.

*Sd/-*  
**DEPUTY REGISTRAR (O)**

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Examiner Judicial Department  
of Court of Delhi of  
India under Section 7  
Indian Evidence Act