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

CNR No. DLHC010012872022

+ **CS(COMM) 62/2023 and I.A. 2128/2023**

GUPTA AND GUPTA PVT LTD

.....Plaintiff

Through: Mr Gurinder Pal Singh, Mr Sidharth Borah, Ms Jaya Bajpai and Mr Sachin Sharma, Advocates.

versus

KHAN CHACHA HYDRABADI BIRYANI AND ORS ..Defendants

Through: Mr. Gunjan Kathuria, Advocate for D25.

Mr. Saksham Singh, Advocate for D26.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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03.08.2026

1. This suit is instituted on behalf of the Plaintiff *inter alia* seeking a decree of permanent injunction restraining Defendants No.1 to 24 and Defendants No. 27 to 30 and all others acting on their behalf from using Plaintiff's KHAN CHACHA marks in any manner whatsoever, amounting to infringement and/or passing off. By *ex parte* ad interim order dated 06.02.2023, Court restrained the said Defendants from using the KHAN CHACHA marks for identical or allied services falling in Classes 29 and 43 and the interim injunction has continued till date.

2. During the pendency of the suit, right of Defendant No.1 to file written statement was closed on 04.08.2023 and rights of Defendants No. 8, 9, 11, 13, 14, 18 and 19 were closed vide order dated 20.12.2023. Subsequently, vide order dated 16.05.2024 rights of Defendants No. 2-7, 10,



12, 15 to 17 and 21 to 24 to file written statements were closed. The orders have remained unchallenged. On 23.09.2024, Defendant No. 29 was deleted from the array of parties and vide order dated 09.10.2024, Defendant No.30's right to file written statement was closed. On 27.03.2025, right of Defendant No. 28 to file written statement was also closed.

3. Learned counsel for the Plaintiff submits that the Plaintiff has amicably settled the *inter se* disputes with the remaining Defendants No. 25 and 26 and Settlement Agreements executed before the Delhi High Court Mediation and Conciliation Centre are on record. Counsels for Defendants No. 25 and 26 acknowledged this fact.

4. Court has perused the terms of settlements and finds the same to be lawful. Accordingly, the suit is decreed *qua* Defendants No. 25 and 26 in terms of the settlements. Needless to state that the Settlement Agreements shall form a part of the decree and the terms thereof shall bind the parties thereto.

5. Registry is directed to draw up decree sheet.

6. List before the learned Joint Registrar on 31.08.2026 for further proceedings *qua* Defendants No. 1 to 24 and 27, 28 and 30.

JYOTI SINGH, J

AUGUST 3, 2026/YA/RW