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

CCP(O) 9/2020, I.A. 16693/2019 and I.A. 16694/2019

In

+ **CS(COMM) 647/2019**

ITC LIMITED

.....Plaintiff

Through: Mr. Tanmaya Mehta, Mr. Rohan Swarup and Mr. Sanyam Suri,
Advocates

versus

RAJ KUMAR MITTAL & ORS.

.....Defendants

Through: Mr. N.K. Sah and Mr. Randhir Singh Kalkal, Advocates for contemnor/R-1
Mr. Mayank Rustagi, Mr. Mohit Nagpal and Ms. Anjali Pandey,
Advocates for D-1

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

23.04.2025

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1. Counsel for the defendant no.1 submits that the defendant no.1 has adopted a new label. Therefore, he has no objection if a decree of permanent injunction is passed in favour of the plaintiff and against the defendant no.1.
2. Accordingly, a decree of permanent injunction in terms of prayer clause 58(a) of the plaint is passed in favour of the plaintiff and against the defendant no.1.
3. The only outstanding issue between the parties that remains is with regard to damages and costs, for which the matter has to proceed for trial.



4. Accordingly, the following issues are framed in the suit:-
 - i. *Whether the plaintiff is entitled to damages, and if yes, to what extent?* ~OPP
 - ii. *Whether the plaintiff is entitled to costs?* ~OPP
5. No other issue is pressed for or arises for consideration.
6. The parties shall file their respective list of witnesses within four weeks from today.
7. The plaintiff shall file evidence of its witnesses by way of affidavits within four weeks from today.
8. List before the Joint Registrar for fixing the dates of trial and marking of exhibits on 27th May, 2025.
9. The defendant are directed to preserve their sales and manufacturing data for the impugned goods from the date of institution of the present suit.

AMIT BANSAL, J

APRIL 23, 2025
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