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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(COMM) 289/2018 & I.A. 11934/2014, I.A. 7899/2017, I.A.  
23855/2023, I.A. 25162/2023

PERFETTI VAN MELLE & ORS. ....Plaintiffs

Through: Mr. Sushant Singh and Mr. Sourav  
pattanaik, Advocates  
Mob: 7978900270

versus

SANJAY JAISWANI & ORS. ....Defendants  
Through: Mr. Abhishek Mohan and Ms. Shailja  
Khari, Advs. for D-1, 2 & 5  
M: 9910206525  
Email: [advocate.amohan@gmail.com](mailto:advocate.amohan@gmail.com)

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+ EX.P. 67/2023 & EX.APPL.(OS) 1298/2023

PERFETTI VAN MELLE S P A & ANR. ....Decree Holder

Through: Mr. Sushant Singh and Mr. Sourav  
pattanaik, Advocates  
Mob: 7978900270

versus

MR. SANJAY JAISWANI & ORS. ....Judgement Debtor  
Through: Mr. Abhishek Mohan and Ms. Shailja  
Khari, Advs. for judgment debtor-2,  
3, 9, 10 & 11.  
M: 9910206525  
Email: [advocate.amohan@gmail.com](mailto:advocate.amohan@gmail.com)

**CORAM:**  
**HON'BLE MS. JUSTICE MINI PUSHKARNA**



## **ORDER**

**06.03.2025**

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1. *EX.P. 67/2023* has been filed for execution of the judgment and decree dated 15<sup>th</sup> May, 2012, by which settlement was recorded between the plaintiffs/decree holders, and defendants/judgment debtors, wherein, it was recorded that the defendants had undertaken that they shall not carry on activity or business under any mark, which would infringe the mark of the plaintiffs.
2. The present *EX.P. 67/2023* has come to be filed, since there have been subsequent incidents of infringement by the judgment debtors.
3. *CS(COMM) 289/2018*, is a suit for permanent injunction, wherein, the plaintiffs are seeking injunction against the defendants from using the plaintiffs' mark, i.e., CENTER FRUIT, CENTER FRESH, MENTOS, CHLORMINT, BIG BABOL, and HAPPYDENT PROTEX.
4. It is the case of the plaintiffs that the defendants are selling the products, with the impugned marks of the defendants, i.e., Center Filled, Big Boss, Happymint, Coolsmint, and Mintola, which infringe the marks of the plaintiffs.
5. Learned counsel appearing for the defendants submits that they are ready to resolve the matter.
6. They further undertake that the defendants shall stop all the infringing activities.
7. At this stage, learned counsel appearing for the plaintiffs submits that in view of the continuous infringing activities carried out by the defendants, the plaintiffs are entitled to costs and damages.
8. Accordingly, with the consent of the parties, the matter is referred to



Delhi High Court Mediation and Conciliation Centre, to be listed before a Senior Mediator, on 19<sup>th</sup> March, 2025.

9. List before the Court on 5<sup>th</sup> May, 2025.
10. A copy of this order shall be sent to Delhi High Court Mediation and Conciliation Centre, forthwith.

**MINI PUSHKARNA, J**

**MARCH 6, 2025**  
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