

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2023

(arising out of SLP(C) No. _____ of 2023)

(@ Diary No. 36039/2023)

SARASWATI TRADING COMPANY

APPELLANT(S)

VERSUS

LT FOODS LTD.

RESPONDENT(S)

O R D E R

Delay condoned.

Leave granted.

The appellant - Saraswati Trading Company, in terms as recorded in Record of Proceedings dated 13.10.2023, has handed over a demand draft of Rs.12,00,000/- (rupees twelve lakhs only) to the learned counsel for the respondent - LT Foods Ltd.

The payment is the full and final settlement of the decree of damages and costs in favour of the respondent - LT Foods Ltd., in CS(Comm) no. 413/2021, as decided by the learned single Judge of the High Court *vide* decree dated 11.11.2022, and affirmed by the Division Bench in FA0(OS)(Comm) no. 92/2023 *vide* order dated 01.06.2023.

The decree dated 11.11.2022 will be treated as modified in terms of the aforesaid payment, that is, the damages awarded will be reduced to damages of Rs.10,00,000/- (rupees ten lakhs only) and

costs of Rs.2,00,000/- (rupees two lakhs only). As payment has been made in the Court, the decree will be, to this extent, treated as satisfied.

We clarify that we have not interfered with the decree of injunction passed by the trial court.

The appeal is partly allowed and disposed of in the above terms.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
OCTOBER 30, 2023.

ITEM NO.34

COURT NO.3

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No. 36039/2023

(Arising out of impugned final judgment and order dated 01-06-2023 in FAO(OS)(COMM) No. 92/2023 passed by the High Court of Delhi at New Delhi)

SARASWATI TRADING COMPANY

Petitioner(s)

VERSUS

LT FOODS LTD.

Respondent(s)

(IA No.207958/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.207961/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS and IA No.207960/2023-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 30-10-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Saket Sikri, Adv.
Mr. Neeraj Lalwani, AOR
Mr. Ajay Pal Singh Kullar, Adv.
Mr. Vikalp Mudgal, Adv.

For Respondent(s)
Mr. R. Abhishek, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Leave granted.

The appeal is partly allowed and disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(signed order is placed on the file)