

ATUL

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 2169 OF 2009
WITH
NOTICE OF MOTION NO. 3045 OF 2009**

Huntsman Advanced Materials (Switzerland) ...Plaintiffs
GMBH

Versus

Kiri Dyes & Chemicals Limited ...Defendants

Mr. Alankar Kirpekar, *i/b M/s. MAG Legal, for the Plaintiffs.*
Mr. V.R. Dhond, *Senior Advocate, with Mr. Rashmin Khandekar,*
Mr. Nirav Shah, Mr. Nilesch Tated & Ms. Rushvi Shah, Ms.
Nilam Gadani, i/b M/s. DSK Legal, for the Defendants.

CORAM: G.S. PATEL, J

DATED: 3rd May 2016

PC:-

1. By consent, and both sides having obtained the necessary instructions, the Suit itself is disposed of with following order.

- (a) The Plaintiff unconditionally withdraws the Suit.
- (b) The Defendant agrees and undertakes to the Court to withdraw its revocation Petition filed before the Intellectual Property Appellate Board, Chennai under

Section 64 of the Patent Act, 1970 in respect of the Plaintiffs' Patent No. 216182. The necessary order of withdrawal will be obtained within a period of four weeks from today. Mr. Girish Tandel, Chief Technology Officer on behalf of the Defendant is personally present in Court. The statement made on behalf of the Defendant is accepted as an undertaking to the Court;

(c) The Plaintiff and the Defendant give up all claims against each other, including all monetary claims and claims for costs in relation to the present Suit;

2. The Suit is disposed of in above terms. Refund of court fee, if any, in accordance with the Rules. The Notice of Motion is infructuous and is disposed of as such.

3. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)