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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO. 35 OF 2016
WITH
NOTICE OF MOTION (L) NO. 35 OF 2016**

Bardahl Manufacturing Corporation ...Plaintiffs
Versus
HOEC Bardahl India Limited (HBIL) & Another ...Defendants

Mr. Prakash Shah, *with Mr. Durgaprasad Poojari, i/b Prompt Legal,
for the Plaintiffs.*
Mr. Sharan Jagtiani, *with Mrs. Sheetal Shah, i/b M/s. Mehta &
Girdharlal, for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 18th November 2016

PC:-

1. Mr. Shah moves a draft amendment. It is taken on record and marked "X" for identification. Leave to amend, without need of reverification. Amendment to be carried out on or before 25th November 2016.
2. The ad-interim order dated 4th July 2016 noting statements made by Mr. Jagtiani on instructions from the Defendants is confirmed and will operate hereafter against the Defendants.

3. Mr. Jagtiani, on instructions, also makes a statement as regards the unsold inventory that the Defendants have removed all the labels and marks of the Plaintiff affixed by them on this inventory. The Defendants are at liberty to dispose of this inventory in such manner as they deem fit.

4. It is also noted that the name of the Joint Venture company has been changed to *Hindage Oilfield Services Limited* and no longer uses the name of the Plaintiff company, Bardahl.

5. On these statements being noted and accepted, Mr. Shah for the Plaintiff seeks leave to withdraw the Suit. The Suit is dismissed as withdrawn. It is clarified that there has been no examination on the rival merits in the Suit itself.

6. Refund of court fee in accordance with the Rules.

7. In view of this, the Notice of Motion does not survive and is disposed of as infructuous.

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

(G. S. PATEL, J.)