

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO.2117 OF 2016
IN
SUIT (L) NO.743 OF 2016

Khursheed Anwar Mohammad Ali and Anr. ... Plaintiffs
Versus
Wintech Pharmaceuticals ... Defendant

Mr. Piyush Pandey, *i/b MAG Legal for the Plaintiffs.*
Mr. Rahul Karnik, *for the Defendant.*
Mrs. Geeta Nair, *Section Officer of Court Receiver present.*

CORAM: G.S. PATEL, J
DATED: 11th August 2016

PC:-

1. Mr. Vinod Kanhaiyalal Chhajed, Proprietor of the Defendant is present in Court. He instructs his Advocate, Mr. Karnik, to state that the Defendant is willing submit to a decree in terms of prayer clauses (a), (b) and (c) of the Suit. The Suit is accordingly decreed in those terms. Mr. Pandey for the Plaintiffs does not press his claim for damages.

2. The Suit is disposed of accordingly. Refund of Court Fees, if any, in accordance with the Rules.

3. In view of the disposal of the Suit the Notice of Motion does not survive and is disposed of as infructuous.
4. All interim orders stand vacated.
5. The packaging of the goods seized by the Court Receiver are to be destroyed within the period of four weeks from today by the Defendant at their cost in the presence of the representatives of the Plaintiffs. It is clarified that the tablets within that packaging may be removed by Defendant before destruction. The Defendants are free to reprocess those tablets, if permissible in law.
6. The Court Receiver to stand discharged without passing accounts but on payment of his costs, charges and expenses within four weeks by the Plaintiffs.
7. All concerned to act on an authenticated copy of this order.
8. Mr. Rahul Karnik agrees to file his vakalatnama in the Registry during the course of the day.

(G. S. PATEL, J.)