

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.339 OF 2015
IN
SUIT NO.166 OF 2015**

Lupin Limited	...Plaintiff
<i>Versus</i>	
Johnson and Johnson Limited	... Defendant

Ms. Alka Parelkar, *with Ms. Trivedi, i/b V.A. Associates for the Plaintiff.*

Mr. Alankar Kirpekar, *with Mr. Piyush Pandey i/b Mag Legal for the Defendant.*

CORAM: G.S. PATEL, J
DATED: 4th August 2016

PC:-

1. The parties have settled their disputes. I have before me an Affidavit dated 11th July 2016 of one Ms. Cheryl L. Foytlin, a resident of the United States, on behalf of the Defendant, and another Affidavit dated 25th July 2016 of one Mr. R. Kumar, the General Manager-Legal of the Plaintiff. To both Affidavits are annexed Consent Terms drawn by the parties. These Consent Terms are signed by the deponents and their respective attorneys.

2. The parties' Counsel request that the Consent Terms be taken on record and that the Suit be disposed of in those terms.

3. I have seen the Consent Terms and I am satisfied that they are not contrary to law, reflect the true intention of the parties and have been drawn by the parties of their own volition. The two Affidavits are taken on record. Since the Consent Terms are annexed to the two Affidavits, these are not separately marked.

4. The present order will be in terms of the Consent Terms annexed as Exhibit "A" to each of the two Affidavits. The Suit is disposed of in accordance with these Consent Terms. The undertakings in the Consent Terms are accepted as undertakings to the Court. There will be no order as to costs. I dispense with the drawing up of the decree. Court Fees to be refunded in accordance with Rules.

5. Clause 7 of the Consent Terms is an agreement by the parties that they will keep these Consent Terms confidential and will not disclose these to the public or make any announcements of or under these terms without the prior permission of the other party unless it is necessary to enforce these Consent Terms or to comply with a judicial order.

6. Both sides, therefore, request that, given the nature of the disputes and the items over which the Suit has been brought, that the entire record be sealed.

7. So ordered. The record is to be sealed. None are to be given access or inspection of any part of the record without an order of the Court. This sealing of the record is to be effected after the two Affidavits mentioned above are taken on record and properly filed.
8. The pending Notice of Motion is now infructuous and is disposed of with no order as to costs.
9. Parties are also agreed that this order may be uploaded.

(G. S. PATEL, J.)