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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2115 OF 2015**

**IN
SUIT (L) NO. 965 OF 2015**

Sopariwala Exports and Another	...Applicant /Plaintiff
<i>Versus</i>	
Firdoshhussain M Malik trading as Zarina Exim	...Defendant

**Ms. Smriti Yadav, i/b Khaitan and Company for the Applicant /
Plaintiff.**
Mrs. Gulekar, Section Officer, Court Receiver is present.

**CORAM: G.S. PATEL, J
DATED: 12th August 2016**

PC:-

1. In this matter, there was an ad-interim order dated 10th July 2015. Thereafter, there have been a series of orders passed in the Notice of Motion filed by the Plaintiffs under Order 39 Rule 2A of the Code of Civil Procedure, 1908. These orders ultimately culminated in an order dated 2nd August 2016 in Notice of Motion No. 1216 of 2016 by which an order of attachment was passed under Order 39 Rule 2A.

2. The principle Notice of Motion is present one. It relates to the infringement by the Defendants of the 1st Plaintiff's trade mark **"ISFAHAN"** bearing Nos. 518896, 1372338, 1372342 and 1372340 in classes 34, 39, 31 and 35 respectively.
3. There is no Affidavit in Reply.
4. For the reasons set out in the ad-interim order and other previous orders, the Notice of Motion is made absolute in terms of prayer clauses (a), (b) and (c).
5. The question of Court Receiver does not arise at this stage since he has been previously appointed. That order will continue.
6. The Notice of Motion is disposed of in these terms with costs. In addition, the Plaintiffs will be entitled to recover the actual costs of this Notice of Motion from the Defendant at the time of final hearing of the Suit.

(G. S. PATEL, J.)