

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.119 OF 2015

Hawa Valves (India) Private Limited	...Plaintiff
<i>Versus</i>	
Hawa Sheraton Private Limited	...Defendant

Mr. Thomas James, for the Plaintiff.
Ms. Suvarna Joshi, for the Defendant.

CORAM: G.S. PATEL, J
DATED: 14th July 2016

PC:-

1. Ms Joshi tenders an Affidavit dated 12th July 2016 of one Jagdish Parbat Gothi, a Director of the Defendant. In this, he says that the Defendant Company did not actually commence any business. No bank accounts were opened. No property was purchased. The Defendant company did no trade or business.

2. The Defendant applied for registration in class 36 and 37 of the mark '**Hawa Sheraton**'. In May 2011, it withdrew its application No.2047726 in Class 36 and in March 2016 it applied for withdrawal of its other application No.2047727 in Class 37. Copies of these withdrawal applications are annexed as Exhibits "A" and "B" to this Affidavit.

3. Mr. Gothi then says in paragraph 4 that the Defendant Company has closed down. It has no transactions.
4. The Affidavit is taken on file. The statements in Affidavits are accepted.
5. In view of this, Mr. James on behalf of the Plaintiff states that the Suit itself may be disposed of as infructuous. He seeks leave to withdraw the Suit.
6. The Suit is dismissed as withdrawn. Refund of Court Fee, if any, in accordance with Rules.
7. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)