

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.66 OF 2015
IN
SUIT NO.1016 OF 2014

Sun Pharmaceutical Industries Ltd.	... Plaintiff
<i>Versus</i>	
M/s. Lifestar Pharma Pvt. Ltd.	... Defendant

Mr. H. Kane, i/b W.S. Kane & Co. for the Plaintiff.

CORAM: G.S. PATEL, J
DATED: 16th June 2016

PC:-

1. On 24th November 2014, statement made on behalf of the Defendant was recorded by the Court (S.C. Gupte, J.) that before launching any product under the impugned mark “**Sunkind**”, the Defendant would give at least four weeks’ notice to the Plaintiff. It was on that basis that the application for ad-interim reliefs was not taken up at that stage.

2. Mr. Kane for the Plaintiff points out in fairness that there is no Affidavit in Reply. The Defendant is not represented in Court today. Mr. Kane states that if the statement made on 24th

November 2014 is accepted and continued, this is sufficient for the purposes of this Notice of Motion.

3. I believe the request or submission made by Mr. Kane is more than fair. It causes Defendant no prejudice. The order that he seeks has held the field for the past year and a half or more.

4. The statement made and recorded on 24th November 2014 will continue as the final order on the Notice of Motion.

5. The Notice of Motion is disposed of in these terms with liberty to parties to apply.

(G. S. PATEL, J.)