

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT (L) NO. 993 OF 2016
WITH
NOTICE OF MOTION (L) NO. 3080 OF 2016
AND
LEAVE PETITION NO. 320 OF 2016

Hindustan Unilever Limited	...Plaintiffs
<i>Versus</i>	
Jyoti Gruh Udhyog	...Defendants

Ms. Akshata Kamath, *with Ms. Anusha Ramanathan, i/b W.S. Kane & Company, for the Plaintiffs.*
Mr. Atul Kumar Gordhandas Majithia, *Proprietor of the Defendant, is present.*
Mr. G.G. Ketkar, *Ind Assistant to the Court Receiver, is present.*

CORAM: G.S. PATEL, J
DATED: 21st November 2016

PC:-

1. Leave Petition No. 320 of 2016 is not on board. Mentioned. Taken on board. For the reasons set out in the Petition, it is made absolute in terms of prayer clause (a).

2. Mr. Atul Kumar Gordhandas Majithia, Proprietor of the Defendant, who is personally present in Court, submits to a decree in terms of prayer clauses (a), (b) and (d) of the Suit. Ms. Kamath, therefore, does not press the prayer for damages.

3. The Defendant, in addition, points out that the Court Receiver has sealed another packaging material which has an inscription of the letter Z and the words Semal Washing Powder below it. This is depicted on the green background with a floral border. Mr. Kane, on instructions, says that this is not the offending packaging and may be released to the Defendant. This is noted, and so ordered.

4. For the rest, the Defendant confirms that he understood the terms of the order and submits to a decree.

5. The Suit is decreed in these terms with no order as to costs. Drawn up decree is dispensed with. Refund of Court Fees, if any, in accordance with the Rules.

6. The Court Receiver had sealed certain goods. The packaging is to be destroyed after removing the goods. The Defendants will do this destruction at their own cost within 12 weeks and file an affidavit of compliance within 16 weeks. The goods may be reused.

7. The Court Receiver stands discharged without passing accounts but on payment of his costs, charges and expenses within four weeks from today by the Plaintiffs.

8. Notice of Motion (L) No. 3080 of 2016 does not survive and is disposed accordingly.
9. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)