

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.609 OF 2016
IN
SUIT NO.150 OF 2016

Jawed Habib Hair and Beauty Limited and ...Plaintiffs
another
Versus
Hair Lounge and Another ...Defendants

Ms. Pritam D. Joshi, for the Plaintiffs.

CORAM: G.S. PATEL, J
DATED: 19th September 2016

PC:-

1. There was an ad-interim order dated 20th October 2015. The dispute was in relation to the Plaintiffs registered trade mark “**JH**” and “**Jawed Habib**” used in relation to the Plaintiffs’ hair and beauty related services and products. There is a pending Petition under Clause XIV of the Letters Patent.
2. For the reasons set out in the Petition for leave under Clause XIV of the Letters Patent, it is made absolute in terms of prayer clause (a).

3. The Defendants have been served. There is Affidavit of Service on file.
4. Ms. Joshi for the Plaintiffs confirms that the Defendants have after the date of the ad-interim order ceased infringing use of the Plaintiffs' mark.
5. In this view of the matter, the ad-interim order is continued as the final order on the Notice of Motion. In addition, there will be an order in terms of the prayer clause (c) in relation to the reliefs in passing off.
6. The Notice of Motion is disposed in these terms.
7. Liberty to the Plaintiffs to apply for recovery of the actual costs of the Notice of Motion at the final disposal of the Suit.

(G. S. PATEL, J.)