

ATUL

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT (L) NO. 1043 OF 2016
WITH
NOTICE OF MOTION (L) NO. 3259 OF 2016
AND
LEAVE PETITION NO. 350 OF 2016

Hindustan Unilever Limited	...Plaintiffs
<i>Versus</i>	
Jugmug Soap & Chemical Works	...Defendants

Mr. Ashutosh Kane, *a/w Ms. Anusha Ramanathan, i/b W. S. Kane & Co., for the Plaintiffs.*

Mr. Sushant Prabhune, *i/b Mr. Chandrakant Kushwaha for the Defendants.*

Mr. Prakash Kumar Paul, *Authorised Representative of the Defendant Company.*

Mr. M. R. Mandawgade, *OSD from the Office of the Court Receiver, present.*

CORAM: G.S. PATEL, J
DATED: 9th December 2016

PC:-

1. By consent, the Leave Petition is made absolute in terms of prayer clause (a).

2. Mr. Prabhune on instructions from Mr. Prakash Kumar Paul, Authorised Representative of the Defendant firm who is personally present in Court, says that the Defendant submits to a decree in terms of prayer clauses (a), (b) and (d) of the Suit. Mr. Prabhune tenders an authority letter from the Defendant company authorising Mr. Prakash Kumar Paul. It is taken on record and marked "X" for identification. Mr. Prabhune upon instructions also states that Defendant will withdraw its trade mark Application/s, if any, with the Trade Mark Registry. The Defendant will file an Affidavit of compliance within a period of sixteen weeks from today.

3. The Defendants are directed to pay costs quantified at Rs. 40,000/- to "Women's India Trust". Mr. Prabhune hands over a cheque in the amount of Rs. 40,000/- to Mr. Kane in Court. Mr. Kane will take the necessary steps in that regard.

4. The Suit is decreed in these terms. Drawn up decree is dispensed with. Refund of Court Fees, if any, in accordance with the Rules.

5. The Court Receiver had sealed certain goods. These are to be destroyed by the Defendants at their cost within a period of 12 weeks. The Defendants will file an Affidavit of compliance within a period of sixteen weeks from today.

6. 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.

7. Notice of Motion (L) No. 3259 of 2016 does not survive and is disposed of accordingly.

8. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)