

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 2549 OF 2012**

Jagdish G. Kamath & 5 Ors. ...Plaintiffs
Versus
Lime and Chilli Hospitality Services ...Defendants

Mr. Shenoy, a/w Bhagwati Trivedi & Sana Khan, i/b Bhagwati & Co., for the Plaintiffs.
Mr. Rahul Ajatshatru, i/b Anand & Anand, for the Defendants.

CORAM: G.S. PATEL, J
DATED: 20th October 2016

PC:-

1. Mr. Ajatshatru has instructions to state that Defendants' restaurant in Nahik is undergoing renovations. When it is opened, it will not use the name and mark "Cafe Madras" or any mark that is deceptively similar to it. He also states that the other restaurant in Jalgaon has stopped using the mark in question and is now using the name "Lime & Chilli". Finally, he says that the Defendants agree and undertake not to use the Plaintiffs' mark in any manner for any of the Defendants' restaurants or businesses, present or future. These statements are noted as undertakings to the Court since Mr. Ajatshatru has instructions to make those statements in that form.

2. The Suit is disposed of in these terms. There will be no order as to costs. Refund of Court fees, if any, in accordance with the Rules.
3. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)