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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.2041 OF 2015**

**IN**

**SUIT NO.1047 OF 2015**

**WITH**

**LEAVE PETITION NO.240 OF 2015**

Ajanta Pharma Limited

...Plaintiff

vs

Sunvet Healthcare And Anr.

...Defendants

.....

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

Mr. Vishal Garg, for the Defendants.

Mr. Gaurav Goyal, Authorised Representative of Defendant No.1 present in person.

....

**CORAM : S.C. GUPTE, J.**

**DATED : JANUARY, 28, 2016**

**P.C. :**

. This is a trademark infringement and passing off suit, where leave under Clause 14 of the Letters Patent is sought.

2. Vakalatnama of the Defendants' Advocate is taken on record.

3. Learned Counsel for the parties tender Consent Terms signed by the parties through their authorised representatives and also their

Advocates for grant of such leave. The Leave Petition is allowed in terms of the Consent Terms taken on record marked "X" for identification.

4. Learned Counsel for the parties also tender an affidavit of Defendant No.2 affirming the Consent Terms between the Plaintiff and the Defendants.

5. Learned Counsel for the parties tender Consent Terms duly signed by the parties through their authorised representatives and also their respective Advocates, under which the Defendants submit to a decree in terms of prayer clauses (a) and (b) of the plaint. The Consent Terms are taken on record marked "X-1" for identification. The statements and undertakings contained therein are accepted. Suit is decreed in terms of the Consent Terms. No order as to costs. Refund of court fees in accordance with the applicable rules.

6. In view of the disposal of the suit, nothing survives in the Notice of Motion and the same is also disposed of.

7. This order is passed in the presence of Mr. Gaurav Goyal, the authorised representative of Defendant No.1 and Mr. Asim Hazra, authorised representative of the Plaintiff.

**( S.C. GUPTE, J. )**