

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2016

CORAM

THE HONOURABLE MR. JUSTICE S. NAGAMUTHU
AND
THE HONOURABLE MR. JUSTICE N. AUTHINATHAN

OSA. No. 130 of 2013

&

M.P. No. 1 of 2013

1. Agrigold Foods and Farms Products Ltd.,
having its registered office at
No. 40-1-21, 4th Floor,
Catholic Complex, M.G. Road,
Vijayawada 520 010,
Andhra Pradesh,
rep. by its Chairman & Managing Director,
Mr. Venkata Rama Rao Avvas
2. Mr.Venkatarama Rao Avvas ..Appellants

Vs.

M/s. Hiluck Polyesters Pvt. Limited,
Bhiwani Road, Hansi,
Haryana 125 033.Respondent

Prayer: Appeal under Order 36 Rule 9 of the O.S. Rules read with Clause 15 of the Letters Patent as against the order and decretal order dated 13.08.2012 passed in O.A. No. 140 of 2010 in C.S. No. 119 of 2010 on the file of the Original Side of the High Court of Madras. Original application praying that this Hon'ble court be pleased to grant on interim injunction restraining the respondent, by themselves their servants agents distributors or anyone claiming through them from manufacturing selling offering and advertising for sale using the trade mark AGREEGOLD upon the goods P.V.C.Pipes Rigid P.V.C.Pipes and tubes or in any media and use the same in invoices letter heads and visiting cards or any other trade literature or by using any other trade mark which is in any way visually phonetically or deceptively similar to the applications registered trade mark AGRIGOLD under Nos.935848 935849 1051706, 1051758, 1051769 1174585, 1174586, 1174587, 1174588, 1174589, 1174596, 1174592,1174594,1174595, 1174599, 1171600, 1174602, 1174603, 1174605, 1174607, 1174608, 1296901, 1176229, o4 in any manner infringing the applicants aforesaid

registered trade marks by using the mark AGREEGOLD either as prefix suffix in the courts of business

For Appellants :: Ms. Gladys Daniel

For Respondents:: Mr. Ashok Kumar J. Daga

J U D G M E N T

(Judgment of the Court was delivered by S. NAGAMUTHU,J.)

When the matter is taken up, it is submitted by the learned counsel on either side that there are chances of settling the issue involved in the suit and as and when the matter is settled, they would report about the same in the suit for disposing of the suit itself.

2. Learned counsel for the appellants has also made an endorsement to the effect that the appeal may be dismissed as not pressed in view of the proposed settlement between the parties.

3. In view of the submission made by the learned counsel on either side and the endorsement made by the learned counsel for the appellants, this appeal is dismissed as not pressed. No costs. Connected M.P. is closed.

4. However, Registry is directed to list C.S. No. 119 of 2010 before the Court concerned, for the purpose of reporting settlement on 6th January, 2017.

Sd/-

सत्यमेव जयते
Assistant Registrar(CO)

//True Copy//

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Sub Assistant Registrar

nv

TO

1. The Sub Assistant Registrar,
Original Side, High Court, Madras.

2. The Section Officer, Original Side,
High Court, Madras.

+ 1 cc to Mr.Ashok Kumar, Advocate SR.74885

O.S.A. No. 130 of 2013

SR(CO)
Eu 12.1.17



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