

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 804 OF 2016

The Scotch Whisky Association
 A Company incorporated under the
 Companies Act, 1948 of the
 United Kingdom,
 Through its Constituted Attorney,
 Mr. Sunil Mehdiratta
 with its Present address at
 1st Floor, Quartermile Two,
 2 Lister Square,
 Edinburgh – EH3 9GL,
 Scotland, United Kingdom
 Formerly at:
 20 Atholl Crescent,
 Edinburgh EH3 8HF,
 Scotland, United Kingdom. ... Petitioner

V e r s u s

1. Glenmon Distillers & Vintners Pvt. Ltd.,
 5-8-112, II Floor,
 21st Century Complex,
 Nampally, Hyderabad
 Telangana – 500001
2. Imperial Distillers and Vintners Pvt. Ltd.,
 D-9, Madkaim Industrial Estate,
 Madkaim, Ponda Goa 403 115.
3. Mohan Krishna Balivada,
 (Managing Director of defendant no.1 &
 Director of Respondent no.2)
 Flat No.A3, 2nd Floor,
 Plot No.187 & 188,

H.No.21/376/2, Road No.3,
Nagalli Hills Colony,
Dona Paula,
Tiswadi North Goa 403 004

4. Anuradha Mohankrishna Balivada
(Director of Respondent Nos. 1 & 2)
Flat No.A3, 2nd Floor,
Plot No.187 & 188, Road No.3,
Nagalli Hills Colony,
Dona Paula,
Tiswadi North Goa 403 004.

5. Ashwin Balivada,
(Director of Respondent no.2)
H.No.A-3, Plot No.187 & 188,
Road No.3, Nagalli Hills Colony,
Dona Paula, Tiswadi,
Goa 403 002

6. William Grant & Sons Ltd.,
The Glenfiddich Distillery
Dufftown, Banffshire,
AB55 4DH,
Scotland, United Kingdom

7. William Grant & Sons Distillers Ltd.,
The Glenfiddich Distillery
Dufftown, Banffshire,
AB55 4DH,
Scotland, United Kingdom.

... Respondents

Mr. S. S. Kantak, Senior Advocate with Mr. P. Talaulikar and
Mr. S. Sardesai, Advocates for the petitioner.

Mr. Harshvardhan V. Bhatkuly, Advocate for the respondent nos.
2 and 3.

Coram:- F. M. REIS, J.

Date:- 7th April, 2017

ORAL JUDGMENT

Heard Mr. S. S. Kantak, learned Senior counsel appearing for the petitioner and Mr. H. Bhatkuly, learned counsel appearing for the respondent nos. 2 and 3.

2. Rule. Heard forthwith.

3. The learned counsel appearing for the respondents waives service.

4. During the course of the hearing of the above petition, both the learned counsel have pointed out that the matter has been amicably settled and the parties have executed the consent terms. The director of the respondent no.1 as well as Managing Director has signed on behalf of the respondents. The duly constituted attorney of the petitioner has also signed the consent terms. The xerox copy of the consent terms which have been accepted by both the learned counsel is taken on record and

marked 'X' for identification. It is pointed out by both the learned counsel that on the basis of the said consent terms the suit filed by the petitioner against the respondents stands disposed of in terms thereof. The parties are at liberty to produce the duly signed consent terms before the learned District Judge whereupon the learned Judge shall proceed to decree the suit based on the consent terms.

5. In view of the above, I pass the following :

ORDER

- (i) The above Writ Petition stands disposed of in terms of the consent terms marked 'X' for identification.
- (ii) Liberty to the parties to file consent terms before the learned District Judge who will dispose of the suit accordingly.
- (iii) Rule is made absolute in the above terms.
- (iv) The petition stands disposed of accordingly.

F. M. REIS, J.

at*