

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 212 OF 2017
WITH
NOTICE OF MOTION NO. 695 OF 2017
WITH
LEAVE PETITION NO. 102 OF 2017**

Hindustan Unilever Ltd	...Plaintiffs
<i>Versus</i>	
Sandeep Soap Factory	...Defendants

Mr Ashutosh Kane, *with Akshata Kamath, i/b WS Kane & Co, for the Plaintiffs.*
Mr Sandeep Anand, *Proprietor of the Defendant, in person.*

CORAM: G.S. PATEL, J
DATED: 12th April 2017

PC:-

1. For the reasons set out therein, the Leave Petition is made absolute.

2. Mr. Sandeep Anand, Proprietor of the Defendant, who is personally present in Court, submits to a decree in terms of prayer clauses (a), and (b) of the Suit. Mr. Kane, therefore, does not press the prayer for damages.

3. The Defendant undertakes to:- (i) permanently erase the impugned logo on the impugned packaging within two weeks from today; (ii) exhaust the impugned stock seized by the Court Receiver (after permanently erasing the impugned logo) within 45 days from today; and (iii) pay an amount of Rs. 21,000/- to the Tata Memorial Hospital towards costs of this Suit and produce the receipt before Prothonotary & Senior Master within four weeks from today. These undertakings are accepted as undertakings to the Court. The Defendant will file an Affidavit of compliance within a period of sixteen weeks from today.

4. The Suit is decreed in these terms with no order as to costs. Drawn up decree is dispensed with. Refund of Court Fees, if any, in accordance with the Rules.

5. 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.

6. Notice of Motion No. 695 of 2017 does not survive and is disposed accordingly.

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

(G. S. PATEL, J.)