

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 609 OF 2017
IN
SUIT (L) NO. 175 OF 2017
WITH
LEAVE PETITION NO. 104 OF 2017**

Hindustan Unilever Ltd	...Plaintiffs
<i>Versus</i>	
Sameer Enterprises	...Defendants

Mr Ashutosh Kane, *with Vrinda Gambhir, i/b WS Kane & Co, for the Plaintiffs.*

Mrs Kavita Ambekar, *Ist Assistant to the Court Receiver, is present.*

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

PC:-

1. Copies of the Notice of Motion, plaint, and Clause XIV Petition are served. None appears for the Defendants despite service. An Affidavit of Service to be filed in the Registry within one week from today.

2. Now that the Defendants have been served, the Leave Petition under Clause XIV is made absolute.

3. For the reasons set out in the ad-interim order dated 21st March 2017, it is confirmed as the final order on this Notice of Motion. In addition, there will be an interim order in terms of prayer clause (c) of the Notice of Motion in respect of the relief in passing off.
4. The Notice of Motion is made absolute in these terms with costs. In addition, the Plaintiffs will be entitled to recover the actual costs of this Notice of Motion at the final hearing of the Suit.
5. It is noted that the Court Receiver appointed under the ad-interim order has made an inventory and sealed certain goods with the offending mark.
6. The Notice of Motion is disposed of in these terms.

(G. S. PATEL, J.)