

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT (L) NO. 216 OF 2017
WITH
NOTICE OF MOTION (L) NO. 724 OF 2017**

Charak Pharma Pvt Ltd	...Plaintiffs
<i>Versus</i>	
Patanjali Ayurved Ltd	...Defendants

**Dr VV Tulzapurkar, Senior Advocate, with Dhiren Karania &
Nalanda Jadhav, i/b GS Hegde & VA Bhagat, for the Plaintiffs.
Mr Sushant Prabhune, with Vipula Shah for the Defendants.**

**CORAM: G.S. PATEL, J
DATED: 11th April 2017**

PC:-

1. Mr Prabhune has instructions from the Defendant to submit to a decree in terms of prayer clauses (a) and (b). The Defendants agree and undertake to withdraw their application for registration of the impugned mark mentioned in prayer clause (c). The undertaking is accepted as an undertaking to the Court.

2. In view thereof, Dr Tulzapurkar does not press his prayers for damages and costs.

3. The Suit is decreed in these terms with no order as to costs. Refund of court fee, if any, in accordance with the Rules.
4. The drawn up decree is dispensed with. However, for the purpose of implementation of these Consent Terms, should the parties require a drawn up decree, they will be entitled to apply to the Department for one without having to make a separate application in that behalf and on production of an authenticated copy of this order.
5. Notice of Motion (L) No. 724 of 2017 does not survive and is disposed of as infructuous.
6. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)