

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL NOTICE OF MOTION NO.2070 OF 2019
IN
COMMERCIAL IP SUIT NO.1093 OF 2019**

Unilever PLC and Anr.Applicants/Plaintiffs

Vs.

Maahi 37 and Ors.Defendants

Mr. Vinod Bhagat a/w. Ms. Laher Shah and Ms. Saloni Palkhiwala i/b. G. S. Hegde and V. A. Bhagat for applicants/plaintiffs.

Ms. Ankita Kanojia for defendant no.5.

Mr. Aniesh S. Jadhav for defendant no.13.

Mr. D. N. Kher, Court Receiver present.

CORAM : K.R.SHRIRAM, J.

DATE : 3rd SEPTEMBER 2019

P.C.:

1 Mr. Bhagat states that the Court Receiver has been able to go to 89 places suspected to be holding counterfeit goods of plaintiffs. Mr. Bhagat tenders a list of places visited by the Court Receiver, the name of defendant and address, person acknowledging service and what counterfeit/impugned goods were found. The statement is taken on record and marked "X" for identification.

2 Only defendant no.5 is represented and Ms. Kanojia undertakes to file Vakalatnama during the course of this week. Ms. Kanojia also states that she will file an affidavit in reply and serve a copy thereof within two weeks from today. Rejoinder, if any to be filed and copy served within two

weeks thereafter.

3 Mr. Bhagat states that he will take instructions as to how to deal with the counterfeit/impugned goods seized. Mr. Bhagat states that since they contained counterfeit and these are hair oil, shampoo, deodorant, he will take instructions whether all these goods seized should be destroyed because they are of no commercial value to anybody.

4 Stand over to 15th October 2019. Ad-interim order to continue until further orders.

5 Mr. Bhagat states that all defendants have been served the Clause 14 petition and undertakes to file affidavit of service. No affidavit in reply has been filed opposing the Clause 14 petition.

6 Therefore, Leave Petition No.140 of 2019 is allowed and accordingly disposed in terms of prayer clause – (a). Liberty to apply.

(K.R. SHRIRAM, J.)