

ODC-4

ORDER SHEET

EOS/4/2020

IA No. GA/1/2021, GA/2/2021, GA/3/2021,
GA/4/2021, GA/5/2021, GA/6/2021,
GA/7/2021, GA/8/2021, GA/9/2021,
GA/10/2021, GA/11/2021, GA/12/2021

IN THE HIGH COURT AT CALCUTTA
Extra Ordinary Civil Jurisdiction
ORIGINAL SIDE

EMAMI LTD.
VS
TORQUE PHARMACEUTICALS PVT. LTD.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 16th September, 2021.

[Via video conference]

Appearance:

Mr. Debnath Ghosh, Adv.
Ms. Adreeka Pandey, Adv.
Mr. Ashok Kumar Singh, Adv.
Ms. S. Singh, Adv.
... for the petitioner

Mr. Jishnu Saha, Sr. Adv.
Mr. Rudraman Bhattacharya, Adv.
Mr. Shuvasish Sengupta, Adv.
Mr. Subhasis Chakraborty, Adv.
... for the respondent

The Court: The parties before this Court have filed a Terms of Settlement dated 16th September, 2021 for withdrawing the suit along with all pending applications.

Learned counsel appearing for the plaintiff and the defendant submit that the present suit which is one of infringement of trademark, copyright, design and passing off was transferred from the Court of the learned Additional District

Judge at Alipore and by an order dated 4th March, 2020, the suit was directed to be transferred to this Court along with all pending applications under Clause 13 of the Letters Patent. The clauses of the Terms indicate that the parties shall file the instant Terms of Settlement before this Court for withdrawing the parent suit, being EOS/4/2020, and all pending applications on the basis of the Terms executed between the parties.

Upon perusing the Terms, this Court finds the said Terms to be in accordance with law and EOS/4/2020 arising out of TS/8/2019 is accordingly decreed in accordance with the Terms of Settlement filed by learned counsel appearing for the parties today in Court.

All connected applications are disposed of in accordance with this order.

Interim orders, if any, shall stand vacated.

A Copy of the Terms be kept on record.

The Department is requested to draw up the decree expeditiously in accordance with the Terms of Settlement.

(MOUSHUMI BHATTACHARYA, J.)