

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL IP SUIT (L) NO. 1354 OF 2019
WITH
INTERIM APPLICATION NO. 282 OF 2021
IN
INTERIM APPLICATION NO. 2039 OF 2019
AND
INTERIM APPLICATION NO. 2039 OF 2019**

RPG Enterprises Ltd ...Plaintiff
Versus
RPG Foundation & Ors ...Defendants

Mr Kunal Kanungo, *with Rahul Punjabi, i/b S Venkateshwar, for the Plaintiff.*
Ms Nidhi Bangera, *i/b Legal House, for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 30th March 2021

PC:-

1. The parties have settled their disputes. Consent Terms are tendered. These are signed by the authorized representatives of the Plaintiff and the Defendants as also by their Advocates. I am satisfied that the Consent Terms are in order, not contrary to law

Shephali
Mormare

Digitally signed
by Shephali
Mormare
Date: 2021.03.30
18:17:29 +0530

and have been drawn by the parties of their own volition in reflection of their true intentions. The Consent Terms are taken on record and marked “X” for identification with today’s date.

2. The undertakings in the Consent Terms are accepted as undertakings to the Court.

3. For the purpose of clause 5 of the Consent Terms regarding destruction of the offending goods and packaging materials, the representatives of the two sides will be entitled to remove the seals placed by the Court Receiver.

4. A soft copy of the Consent Terms will be uploaded as the second order in the matter. The Registry is to ensure that the hard copy of the signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.

5. The Court Receiver stands discharged without passing accounts but on payment of his costs, charges and expenses to be paid by the Plaintiffs within three weeks from today.

6. The Suit and the Interim Applications are disposed of in terms of the Consent Terms.

7. Court fees are to be refunded in accordance with the Rules. For the purposes of Section 43 of the Maharashtra Court Fees Act and the proviso to that Section, today’s date is the date of making a

claim for repayment. The Prothonotary & Senior Master will issue a certificate for a refund of Court Fees computed according to the Rules. He will act on production of an authenticated copy of this order without requiring a separate application.

8. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production of a digitally signed copy of this order.

(G. S. PATEL, J)