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

COM IPR SUIT NO.729 OF 2019

M/s. Samex Agency & Anr.

...Plaintiffs

Versus

M. Natraya Prabhu

...Defendant

Jinal Rothi, i/b. Bankim Mehta and Rahul Karnik for the Plaintiffs.
Dr. Dhanalakshmi Iyer for the Defendant.

CORAM : R.I. CHAGLA J

DATE : 28TH JULY, 2022

ORDER :

1. The parties have settled their dispute. Minutes of Order between Plaintiffs and Defendant dated 14th July, 2022 are tendered and taken on record and marked 'X' for identification. The Minutes of Order are signed by the Advocates for the Plaintiffs and Advocate for Defendant. This order is passed in terms of the Minutes of Order marked 'X' for identification.
2. The undertakings, if any, in the Consent Terms being

accepted as undertakings to the Court.

3. It is mentioned in Clause 9 of the Minutes of Order that in view of the undertaking given by the Defendant, the Plaintiffs agrees to forego its claim for damages and other reliefs claimed in this Suit and withdraws the Suit in lieu of the present settlement arrived between the parties. The Plaintiffs have received amount of Rs.3,95,000/- by way of Demand Draft dated 9th May, 2022 bearing No.284097 drawn on TMB Bank, issued in the name of the Plaintiffs as full and final settlement amount towards settlement of the Suit and costs incurred by the Plaintiffs in institution of the Suit. The Plaintiffs have acknowledged receipt of the same.

4. The Suit is disposed of and decreed in accordance with the Minutes of Order.

5. The Interim Applications, if any, filed do not survive and are disposed of accordingly.

6. Drawn up decree/ order is dispensed with unless the parties seek drawn up decree/ order, in which case they are entitled

to apply.

7. A soft copy of the Consent Terms will be uploaded as the second order in the matter.

8. 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.

9. 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.

[R.I. CHAGLA J.]