

jsn

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION  
INTERIM APPLICATION NO.2162 OF 2022  
IN  
COM IPR SUIT NO.112 OF 2022  
WITH  
COURT RECEIVER'S REPORT NO.24 OF 2022

Asian Paints Ltd

...Applicant/  
Plaintiff

*Versus*

Amul Paints Industries

...Defendant

Mr. Vinod Bhagat with Ms. Fatema Kalolwala and Ms. Prachi Shah i/  
b. G.S. Hegde and V.A. Bhagat for the Plaintiff.

Mr. Rajendra Patel, Representative of Defenant.

Mr. E.B. Sivakumar, 1st Asstt. to CR is present.

CORAM : R.I. CHAGLA J.  
DATE : 30TH AUGUST, 2022.

ORDER :

1. The parties have settled their dispute. The Consent Terms dated 30th August, 2022 are tendered and taken on record and marked 'X' for identification. These are signed by the Constituted Attorney of the Plaintiff and the Advocates for the Plaintiff as well as by the Defendant No.2, who is present in Court. Appended to the Consent Terms is the Power of Attorney of the Plaintiff authorising

the signatory to the Consent Terms to execute the Consent Terms. Also appended to the Consent Terms are the documents of identification of the Defendant No.2. I am satisfied that the Consent Terms are in order, not contrary to law and have been drawn by the parties of their own volition in reflection of their true intentions.

2. The undertakings, if any, in the Consent Terms being accepted as undertakings to the Court.

3. The Leave Petition filed under Clause XIV of the Letters Patent Act is made absolute in terms of prayer clause (a).

4. The Suit is disposed of and decreed in terms of prayer clauses (a), (b), (c) and (d) of the Plaint and in accordance with Consent Terms.

5. The Court Receiver's Report No.24 of 2022 is also disposed of. The Court Receiver is discharged without passing of accounts and upon payment of costs, charges and expenses to be borne by the Plaintiff.

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

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

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

9. 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.

10. 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.]**