

Sharayu Khot.

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

COMMERCIAL IPR SUIT NO. 377 OF 2021

WITH

INTERIM APPLICATION NO. 944 OF 2022

WITH

COURT RECEIVER'S REPORT NO. 374 OF 2021

WITH

LEAVE PETITION NO. 269 OF 2021

Midas Hygiene Industries Private Limited ...Plaintiff

Versus

Eco-care Minerals Private Limited ...Defendant

Mr. B.N. Poojari and Ms. Nidhi Bangera i/by Asian Patent Law for the
Plaintiff.

Mr. Suresh Rajeshwar for the Defendant.

Mrs. Rekha Rane, 2nd Asstt. to C.R. present.

CORAM : R.I. CHAGLA J

DATE : 07 July 2022

ORDER :

1. The parties have settled their disputes. Consent Terms dated 30th June 2022 are tendered. The Consent Terms are taken on record and marked "X" for identification. These are signed by the

SHARAYU
PANDURANG
KHOT

Digitally signed
by SHARAYU
PANDURANG
KHOT
Date:
2022.07.11
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Director of the Plaintiff as well as the Advocate for the Plaintiff and
Director of the Defendant as well as Advocate for the Defendant.

2. Resolution passed at the board meeting of the respective
Plaintiff and the Defendant Company authorising the signatories to
the Consent Terms are appended to the Consent Terms along with
identifications of the signatories to the Consent Terms.

3. 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.

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

5. Leave Petition No. 269 of 2021 under Clause XIV of the
Letters Patent is made absolute in terms of prayer clause (a).

6. The Suit is disposed of and decreed in terms of prayer
clauses (a), (b) and (c) of the Plaint.

7. Court Receiver appointed by this Court by order dated 23rd August 2022 is discharged without drawing up accounts and on payment of costs, charges and expenses to be borne by the Plaintiff.

8. Court Receiver's Report No. 374 of 2021 is disposed of.

9. Interim Application is also disposed of, as become infructuous.

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

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

12. 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.

13. 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.]