

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL IP (L) SUIT NO.17247 OF 2022
WITH
INTERIM APPLICATION (L) NO.17256 OF 2022

DO Points Marketing Services Pvt. Ltd.... Plaintiff / Applicant
Vs.
Port Mobile Inc. and others ... Defendants / Respondents

Ms. Keerthi Kamath i/b. Mansukhlal Hiralal & Co. for Plaintiff / Applicant.

CORAM : MANISH PITALE, J.
DATE : OCTOBER 19, 2023

P.C. :

Not on Board. Mentioned by way of *praecipe*.

2. By an order dated 07.12.2022, the IP Suit was permitted to be withdrawn and in the light of a specific submission made on behalf of the plaintiff, the permission to withdraw the suit was granted with liberty to file a fresh suit for claiming relief of damages and compensation.

3. Today, Ms. Kamath, learned counsel for the plaintiff, on instructions, submits that the plaintiff does not desire to file a fresh suit and therefore, the liberty is not necessary. It is submitted that this Court may record the aforesaid statement so that the refund of Court fees can be processed as per Rules.

4. Hence, it is recorded, on the basis of the statement made today on behalf of the plaintiff before this Court, that the suit is unconditionally withdrawn, without any liberty. The Court fees shall now be refunded as per the Rules.

(MANISH PITALE, J.)

Minal Parab