

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

COMMERCIAL IP SUIT (L) NO. 19913 OF 2021

Aventisub LLC & Anr. ... Plaintiffs

Versus

Eris Healthcare Private Limited & Anr. ... Defendant

**WITH
INTERIM APPLICATION (L) NO. 19918 OF 2021
WITH
LEAVE PETITION NO. 293 OF 2021
IN
COMMERCIAL IP SUIT (L) NO. 19913 OF 2021**

Mr. Shubham Shende for the Plaintiffs.

CORAM : R.I. CHAGLA, J.

DATED : 23rd MARCH, 2022

ORDER :

1 The parties have settled their disputes. The Memo of Compromise (Consent Terms) dated 28.01.2022 is tendered. The Consent Terms is taken on record and marked 'X' for identification. These are signed by the authorized signatory of Plaintiff No.1 and Plaintiff No.2. Consent Terms is also signed by the authorized signatory of Defendant

No.1 and Defendant No.2. The resolution passed by the Board of Directors of Defendant No.1 as well as the Power of Attorney of the Plaintiff No.1 authorizing the signatory to the Consent Terms to sign the Consent Terms. There is a special Power of Attorney executed by Plaintiff No.2 authorising the signatory to execute the Consent Terms. These are annexed to the Consent Terms. 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 Suit is disposed of and decreed in accordance with the Consent Terms.

4 Interim Application and Leave Petition are also disposed of as become infructuous.

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

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

7 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.

8 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.

9 All concerned will act on production of a digitally signed copy of this order.

WAISHALI
SUSHIL
WAGHMARE
Digitally signed
by WAISHALI
SUSHIL
WAGHMARE
Date:
2022.03.25
14:56:18
+0530

(R.I. CHAGLA, J.)