

Sharayu Khot.

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

COMMERCIAL IPR SUIT NO. 172 OF 2023

WITH

INTERIM APPLICATION NO. 2149 OF 2023

Sun Pharma Laboratories Limited

...Plaintiff

Versus

US & VG Healthcare Pvt.Ltd. & Anr.

...Defendants

Ms. Maitri Asher i/by W.S. Kane & Co. for the Plaintiff.

Mr. Yashwardhan Tiwari i/by Deepa Panicker for the Defendants.

CORAM : R.I. CHAGLA J

DATE : 31 July 2023

ORDER :

1. The parties have arrived at a settlement. Consent Minutes of Order bearing today's date are tendered. The Consent Minutes of Order are taken on record and marked 'X' for identification with today's date. These are signed by the Advocate for the Plaintiff and the Advocate for the Defendants. This order is passed in terms of order marked X.

2. The undertakings in the Consent Minutes of Order are accepted as undertakings to the Court.

3. The Defendant Nos. 1 and 2 have paid costs of Rs. 75,000/- each to the Plaintiff in the above Suit by way of Demand Draft 378260 and Cheque No. 645876. Copies of the Demand Draft and Cheque have been tendered and taken on record and marked “X-1” for identification.

4. Considering that the amount has been paid also by cheque on dated 6th July 2023, and which has been handed over today, subject to the Defendants honouring the cheque, the matter is full and finally settled between the Defendants and the Plaintiff.

5. The Defendants have submitted to a decree in terms of prayer clauses (a), (b) and (d) of the Plaint. Accordingly, Suit is disposed of and decreed in terms of prayer clauses (a), (b) and (d) of the Plaint.

6. Interim Application No. 2149 of 2023 does not survive

and is accordingly, disposed of.

7. Court Receiver appointed by this Court shall be discharged without drawing up accounts and upon payment of costs, charges and expenses to be borne by the Plaintiff.

8. Court Receiver's Report No. 161 of 2023 is disposed of.

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

10. A soft copy of the Consent Minutes of Order will be uploaded as the second order in the matter.

11. The Registry is to ensure that the hard copy of the signed Consent Minutes of Order is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.

12. 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.

13. Commercial IPR Suit No. 172 of 2022 shall be placed on 7th August 2023 under the caption for compliance.

[R.I. CHAGLA J.]