

K.S. Jadhav

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

COMMERCIAL IP SUIT (L) NO.10332 OF 2023

Hindustan Unilever Limited

...Plaintiff

Versus

ACB Detergents and Anr.,

...Defendants

WITH

INTERIM APPLICATION (L) NO.10469 OF 2023

IN

COMMERCIAL IP SUIT (L) NO.10332 OF 2023

WITH

LEAVE PETITION (L) NO.10494 OF 2023

IN

COMMERCIAL IP SUIT (L) NO.10332 OF 2023

WITH

COURT RECEIVER'S REPORT NO.188 OF 2023

IN

COMMERCIAL IP SUIT (L) NO.10332 OF 2023

Ms. Archita Gharat i/b Davawala & Shah LLP, Advocate for Plaintiff.

Mr. Arvind Taral, Advocate for Defendant.

Mr. Vinod K. Sawant, A.S.O., Court Receiver present.

CORAM : R.I. CHAGLA, J.

DATE : 27TH JUNE, 2023.

ORDER :

1. The Plaintiff and Defendants have settled their dispute. The Consent Minutes of Order bearing today's date is tendered and taken on record and marked 'X' for identification. The Consent Minutes of Order have been signed by the Advocate for the Plaintiff and Advocate for the Defendants. This order is passed in terms of the Consent Minutes of order marked 'X'.

2. The learned Counsel appearing for the Defendants has sought leave to file Vakalatnama.

3. Leave is granted.

4. Vakalatnama shall be filed within a period of one week from today.

5. Leave Petition (L) No.10494 of 2023 under Clause XIV of the Letters Patent is allowed.

6. The undertakings, if any, in the Consent Minutes of Order being accepted as undertakings to the Court.

7. The Suit is disposed of and decreed in terms of prayer Clause (a) and (b) of the Plaint.

8. The learned Counsel appearing for the Defendant has handed over Demand Draft bearing No.000506 dated 8th June, 2023 drawn on HDFC Bank for an amount of Rs.50,000/- (Rupees Fifty Thousand only) to the learned Counsel for the Plaintiff in Court. This is in accordance with the Consent Minutes of Order and in full and final settlement between the parties.

9. The Court Receiver appointed has tendered Court Receiver's Report No.188 of 2023 dated 9th June, 2023 which is taken on record and accordingly disposed of.

10. The Court Receiver appointed by this Court is discharged without drawing up accounts and on payment of costs, charges and expenses to be borne by the Plaintiff.

11. Interim Application (L) No.10469 of 2023 does not survive and is accordingly disposed of.

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

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

14. 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.

15. 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.]