

Kavita S.J.

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

COMMERCIAL IPR (L) SUIT NO.7053 OF 2024

Hindustan Unilever Limited ... Plaintiff

Versus

Bharat Company ... Defendant

WITH

INTERIM APPLICATION (L) NO.7156 OF 2024
IN
COMMERCIAL IPR (L) SUIT NO.7053 OF 2024

WITH

LEAVE PETITION (L) NO.7157 OF 2024
IN
COMMERCIAL IPR (L) SUIT NO.7053 OF 2024

WITH

COURT RECEIVER'S REPORT NO.179 OF 2024
IN
COMMERCIAL IPR (L) SUIT NO.7053 OF 2024

KAVITA
SUSHIL
JADHAV

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Date: 2024.07.09
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Mr. Anil Shete a/w Ms. Niyati Davawala i/b Niyati Davawala for
Plaintiff.

Stenna Fernandes for Defendant.

Ms. Charushila Vaidya, IInd Assistant to the Court Receiver present.

CORAM : R.I. CHAGLA, J.

DATED : 9TH JULY, 2024.

ORDER :

1. The Plaintiff and the Defendant have entered into the Consent Minutes of Order dated 8th July, 2024 which is taken on record and marked 'X' for identification. The Consent Minutes of Order has been signed by the Advocate for the Plaintiff and Advocate for the Defendant. This order is passed in terms of Consent Minutes of Order marked 'X'.

2. Leave Petition (L) No.7157 of 2024 under Clause XIV of the Letters Patent taken out by the Plaintiff is allowed in terms of prayer Clause (a).

3. The undertakings in the Consent Minutes of Order being accepted as undertakings to the Court.

4. The Defendant has submitted to a Decree in terms of prayer Clause (a) and (b) of the Plaint.

5. The Suit is disposed of and decreed in terms of prayer

Clause (a) and (b) of the Plaint.

6. The parties have agreed in Clause 5 of the Consent Minutes of Order that the impugned packaging material seized by the Court Receiver, shall be opened by the parties in presence of their respective representatives and the detergent preparations therein shall be returned to the Defendant and packaging material shall be forthwith destroyed by the Defendant and the Defendant will do this destruction at their own costs.

7. 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.

8. The Court Receiver's Report No.179 of 2024 is disposed of.

9. The Interim Application (L) No.7156 of 2024 does not survive and is accordingly disposed of.

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 Minutes of Order will be

uploaded as the second order in the matter.

12. 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.

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.]