

Sharayu Khot.

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

COMMERCIAL IPR SUIT (L) NO. 17760 OF 2024

WITH

INTERIM APPLICATION (L) NO. 17783 OF 2024

WITH

LEAVE PETITION (L) NO. 17784 OF 2024

WITH

COURT RECEIVER'S REPORT NO. 315 OF 2024

IN

COMMERCIAL IPR SUIT (L) NO. 17760 OF 2024

Hindustan Unilever Limited

...Plaintiff

Versus

Ecocare Technologies Private Limited

...Defendant

Mr. Anil Shete a/w Ms. Simran Khan, Ms. Niyati Davawala i/by Niyati Davawala for the Plaintiff.

Mr. Tarun R. Shroff for the Defendant.

Ms. Charushila M. Vaidya, 2nd Asstt. Court Receiver present.

SHARAYU
PANDURANG
KHOT

CORAM : R.I. CHAGLA J

DATE : 24 September 2024

Digitally signed
by SHARAYU
PANDURANG
KHOT
Date:
2024.09.25
18:28:30
+0530

ORDER :

1. The Plaintiff and the Defendant have arrived at a

settlement in the above Suit. The Consent Minutes of Order bearing today's date have been 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 Defendant.

2. This order is passed in terms of the Consent Minutes of Order.

3. The undertakings, if any, in the Consent Terms being accepted as undertakings to the Court.

4. Leave Petition (L) No. 17784 of 2024 is allowed by consent of parties.

5. The Defendant has submitted to a decree in terms of prayer clauses (a) and (b) of the Plaint.

6. Accordingly, the Suit is disposed of and decreed in terms of prayer clauses (a) and (b) of the Plaint.

7. In Clause 5 of the Consent Minutes of Order, which

formed part of the order, the parties have agreed that the packaging material seized by the Court Receiver shall be opened by the parties and the dishwashing preparations therein shall be returned to the Defendant and the packaging material shall be destroyed within a period of four weeks from today by the Defendant in the presence of Plaintiff and Defendant's respective representatives and the Defendant will do this destruction at their own costs.

8. In view thereof, 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.

9. Court Receiver's Report No. 315 of 2024 stands disposed of.

10. In paragraph 7 of the Consent Minutes of Order, it is mentioned that the Defendant has issued Demand Draft in favour of the Plaintiff for an amount of Rs. 50,000/- (Rupees Fifty Thousand only) towards full and final settlement of the Suit. The particulars of the Demand Draft are mentioned in the said Clause.

11. The learned Advocate appearing for the Plaintiff confirms having been handed over the said Demand Draft in Court.
12. Interim Application (L) No. 17783 of 2024 does not survive and is accordingly disposed of.
13. Drawn up decree/ order is dispensed with unless the parties seek drawn up decree/ order, in which case they are entitled to apply.
14. A soft copy of the Consent Minutes of Order will be uploaded as the second order in the matter.
15. 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.
16. 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.]