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O.S.A. (CAD) No.126 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

O.S.A. (CAD) No.126 of 2022
and
C.M.P. No.13665 of 2022 in O.S.A. (CAD) No.126 of 2022

1.Zydus Lifesciences Limited
(Formerly known as Cadila Healthcare Limited),
Zydus Corporate Park,
Scheme No.63, Survey No.536
Khoraj (Gandhinagar),
Nr Vaishnodevi Circle,
Ahmedabad,
Gujarat – 382 481.

2.Zydus Healthcare Limited,
Zydus Corporate Park,
Scheme No.63, Survey No.536
Khoraj (Gandhinagar),
Nr Vaishnodevi Circle,
Ahmedabad,
Gujarat – 382 481.

.. Appellants

Vs

1.Unimed Technologies Limited, Part-A.
Dadha Nagar, Near Kowl Bazar,
Pozhichalur, Pallavaram, Chennai – 74
rep. By its Constituted Attorney
Mr.Srikant Nahata



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2.Sun Pharmaceutical Industries Limited,
CD Plot No.3, Door No.8,
Old Tower Block Street,
Nandhanam Extension,
Chennai – 35 rep. By its
Constituted Attorney Mr.P.Natesan

3.Sun Pharmaceutical Medicare Limited,
SPARC, Tandalia, Vadodara,
Vadodara GJ 390 012.

.. Respondents

(Cause title accepted vide order
dated 03.08.2022 made in
C.M.P. No.12665 of 2022 in
O.S.A. (CAD) SR. No.67335 of 2022)

Appeal filed under Section 13 (1) of The Commercial Courts,
Commercial Division and Commercial Appellate Division of High
Courts Act, 2015 read with Order XXXVI Rules 1 and 9 of the
Original Side Rules to set aside the judgment and decree dated
09.06.2022 passed in C.S. (Comm. Div.) No.822 of 2013.

For Appellants : Ms.Gladys Daniel
along with
Ms.J.Vennila
Ms.T.Hemalatha
Ms.Shalini

For Respondents : Mr.S.Diwakar



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JUDGMENT

(Judgment of the Court was delivered by **M.Sundar, J.**)

Captioned 'Original Side Appeal' (hereinafter 'OSA' for the sake of brevity) is listed under the cause list caption 'FOR REPORTING SETTLEMENT'.

2. Ms.Gladys Daniel, learned counsel along with Ms.J.Vennila, Ms.T.Hemalatha and Ms.Shalini, learned counsel for 'two appellant companies (Zydus Lifesciences Limited {formerly known as Cadila Healthcare Limited} and Zydus Healthcare Limited)' which shall hereinafter be collectively referred to as 'Zydus' for the sake of convenience and clarity and Mr.S.Diwakar, learned counsel for 'three respondents (Unimed Technologies Limited, Sun Pharmaceutical Industries Limited and Sun Pharmaceutical Medicare Limited)', which shall hereinafter be collectively referred to as 'Unimed/Sun' for the sake of convenience and clarity are before this Court.

3. Mr.Hiren Trivedi, Manager - Legal of Zydus is before us on VC (video conferencing) platform. To be noted, Mr.Hiren Trivedi is backed by Board resolutions of both the appellant companies which



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are being collectively referred to as Zydus and likewise, Mr.Rajamallaiah Cirumalla for the respondents i.e., Unimed/Sun is before us on VC (video conferencing) platform. To be noted, Mr.Rajamallaiah Cirumalla is backed by Board resolutions from all three respondent companies which are being collectively referred to as Unimed/Sun.

4. It is further to be noted, this is a hybrid hearing which is a regular/routine/daily feature in this Court. For abundant clarity, we deem it appropriate to write that Ms.Gladys Daniel and Mr.S.Diwakar are before us in physical Court and their respective clients are before us on VC (video conferencing) platform.

5. Both learned counsel, on instructions from litigants i.e., their respective clients submitted in one voice in unison that the captioned matter has now been settled by resorting to mediation and the terms of settlement have been reduced to writing vide a settlement agreement dated 30.08.2024 (hereinafter 'said settlement agreement' for the sake of brevity and convenience) and scanned reproduction of the said settlement agreement as placed before us together with aforementioned Board resolutions are as follows:



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SETTLEMENT AGREEMENT DATED 30.08.2024:

IN THE HIGH COURT OF JUDICATURE AT MADRAS

The SETTLEMENT AGREEMENT entered into on 30.08.2024

BETWEEN

1. Zydus Lifesciences Limited
(Formerly known as Cadila Healthcare Limited)
Zydus Corporate Park,
Scheme No. 63, Survey No. 536
Khoraj (Gandhinagar),
Nr. Vaishnodevi Circle,
Ahmedabad, Gujarat 382 481
2. Zydus Healthcare Limited,
Zydus Corporate Park,
Scheme No. 63, Survey No. 536
Khoraj (Gandhinagar),
Nr. Vaishnodevi Circle,
Ahmedabad,
Gujarat 382 481

Appellants

AND

1. Unimed Technologies Limited, Part-A,
Dadha Nagar, Near Kowl Bazar,
Pozhichalur, Pallavaram,
Chennai - 600 074
Rep. by its Constituted Attorney, Mr. Srikanth Nahata
2. Sun Pharmaceutical Industries Limited,
CD Plot No.3, Door No.8,
Old Tower Block Street,
Nandhanam Extension,
Chennai - 600 035,
Rep. by its Constituted Attorney, Mr. P. Natesan.

For Sun Pharmaceutical Industries Limited
(R2) Authorised Signatory

For Unimed Technologies Limited
(R2) Authorised Signatory

For Sun Pharmaceutical Industries Limited
(R2) Authorised Signatory

For Unimed Technologies Limited
(R2) Authorised Signatory

Zydus Lifesciences Limited
Zydus Healthcare Limited
Manager
Authorized Signatory

For Sun Pharmaceutical Industries Limited
(R2) Authorised Signatory

For Unimed Technologies Limited
(R2) Authorised Signatory



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3. Sun Pharmaceutical Medicare Limited,
SPARC, Tandalia,
Vadodara,
Vadodara GJ 390 012.

Respondents

WHEREAS

1. Disputes and differences had arisen between the parties hereto and OSA (CAD) No. 126 of 2022 was filed on 29.06.2022 before the Hon'ble Division Bench of High Court of Madras.

2. The matter was referred to Mediation/Conciliation vide an order dated 06.08.2024 passed by the Hon'ble Division Bench of the High Court of Madras.

3. The parties agreed that Ms. Dukka Kanakalakshmi & Mr. R. L. Ramesh who act as the Mediators/Conciliators.

4. Several meetings were held during the process of Mediation/Conciliation from 19.08.2024 to 30.08.2024 and the parties have the assistance of the mediators/Conciliators voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

5. The parties hereto confirm and declare that they are voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediators/Conciliators.

Zydus Lifesciences Limited
Manager
Authorized Signatory

For Sun Pharmaceutical Medicare Limited
Authorized Signatory
For United Technologies Limited
Authorized Signatory



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6. The following settlement has been arrived between the parties hereto:-

A. Whereas the terms Appellants and the Respondents shall mean and include its heirs, executors, administrators, successors and assigns of each party.

B. The Appellants submit to a Judgment and Decree dated 09.06.2022 in C. S. (Comm. Div.) No. 822 of 2013 as prayed for permanent injunction in terms of prayer [a] & (b) of para 21 of the Plaint for

a) A permanent injunction restraining the Defendants, its manufacturers, distributors, stockists, servants, agents, wholesalers, retailers, legal representatives or any other person claiming under it from in any manner manufacturing, selling offering for sale, stocking, advertising directly or indirectly dealing in medicinal and pharmaceutical preparations infringing the Trademark HYVISC of the 1st Plaintiff registered under No. 751852 in class 5 by us of deceptively similar trademark ZYVISC or any mark identical or similar to Plaintiff's registered trademark HYVISC in any manner whatsoever;

(b) A permanent injunction restraining the Defendants, its manufacturers, distributors, stockists, servants, agents, wholesalers, retailers, legal representatives or any other person claiming under it

Zydus Lifesciences Limited
Zydus Healthcare Limited
Manager

For Sun Pharmaceutical Industries Limited
Authorized Signatory
For United Technologies Limited



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from in any manner manufacturing, selling, offering for sale, stocking, advertising directly or indirectly dealing in medicinal and pharmaceutical preparations under the trademark ZYVISC or any other trademark that is identical to and/or deceptively similar to the Plaintiffs' trademark HYVISC and/or use similar packaging as that of the plaintiffs' products so as to pass off their medicinal preparations as and for the medicinal preparations of the Plaintiffs in any manner whatsoever;

C. The Appellants undertake to pay a sum of Rs. 5,50,000/- (Rupees Five Lakhs and Fifty Thousand only) to the Respondent No. 3 through NEFT within five working days from the date of execution of Memorandum of Compromise.

D. The Respondents receive the said payment of Rs. 5,50,000/- (Rupees Five Lakhs and Fifty Thousand only) as full and final settlement and no other claims would be sought against the Appellants in any other manner in respect of the decree in C. S. (Comm. Div) No. 822 of 2013.

It is therefore prayed that this Hon'ble Court may be pleased to accept and pass orders recording the above Memo of Compromise and dispose of the Appeal in terms of the above Memo of Compromise and

Zydus Lifesciences Limited
Manager
Authorized Signatory
or Sun Pharmaceutical Healthcare Limited
R3 Authorized Signatory
R2
R1
Authorized Signatory
For Unimed Technologies Limited
02 SEP 2024



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pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this the 30th day of August 2024

Zydus Lifesciences Limited <i>[Signature]</i> 1st Appellant Manager Zydus Healthcare Limited <i>[Signature]</i> 2nd Appellant Authorized Signatory	For Unimed Technologies Limited <i>[Signature]</i> Authorized Signatory 1st Respondent For San Pharmaceutical Medicine Limited <i>[Signature]</i> Authorized Signatory 2nd Respondent For San Pharmaceutical Industries Ltd. <i>[Signature]</i> 3rd Respondent
<i>[Signature]</i> Gladys Daniel Counsel for Appellants	<i>[Signature]</i> Counsel for Respondents



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**IN THE HIGH COURT OF JUDICATURE AT
MADRAS**

O. S. A. (CAD) No. 126 of 2022

Zydus Lifesciences Limited & Anr.
Appellants

Versus

Unimed Technologies Limited & 2 Others
Respondents

SETTLEMENT AGREEMENT

M/S. C. DANIEL
GLADYS DANIEL
V. REVATHY
J. VENNILA
T. HEMALATHA

COUNSEL FOR APPELLANTS
MOBILE NO: 9884441794

M/S. RAJESH RAMANATHAN
S. SRIRAMAN
S. DIWAKAR
COUNSEL FOR RESPONDENTS



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BOARD RESOLUTIONS OF ZYDUS:

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CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE FINANCE AND ADMINISTRATION COMMITTEE AT THEIR MEETING HELD ON JUNE 20, 2024

"RESOLVED THAT in supersession of all the previous resolutions passed by the Board of Directors and / or Finance and Administration Committee, Mr. Mukund Thakkar, Senior Vice President - Legal, Mr. Kalpit Lodha, General Manager - Legal, Mr. Hirni Trivedi, Manager - Legal, Mr. Lakshman Singh Rao, Associate Manager - Legal and Ms. Setu Joshi, Assistant Manager - Legal, be and are hereby authorized severally and appointed as the true and lawful representatives of the Company to do all or any of the acts, deeds, things specified hereinafter:

1. To make, sign, verify, file, pursue, present and institute petitions, suits, applications, complaints, information reports, writs, appeals, revisions, execution or any other proceedings before any Court, Forum, Tribunal, Arbitrator, Arbitration Tribunal, Mediator, Enforcement Authority or any Administrative Authority (hereinafter referred to as "Judicial and Administrative Authorities") under various laws, rules and regulations as may be applicable to the Company;
2. To defend, settle and pursue legal cases filed by or against the Company and to make, sign, verify, file, any written statements, applications, replies, affidavits, revisions, rejoinders, appeals, compromise pursis, settlement pursis, consent terms, consent decrees, make and accept payments, withdrawal applications, to admit or deny any document, to receive and hand over the document, to appear and adduce any evidence, to apply for transfer of case and take all such further steps as may be necessary at any stage of the proceedings before the Judicial and Administrative Authorities;
3. To appoint, engage and relieve Advocates, Attorneys, Pleaders or Law Firms to represent the Company before the Judicial and Administrative Authorities and sign Vakalatnama or authority letter in their favour;
4. To accept service of any summons, notices, warrants relating to any proceedings before the Judicial and Administrative Authorities and to accompany the process server/ bailiff for affecting the service of any notice/ summons/ warrants;
5. To issue statutory or demand notices under the provisions of the Negotiable Instruments Act, 1881, Insolvency and Bankruptcy Code, 2016 and any other similar laws for the time being in force and to take any other enforcement steps for recovery of debts;
6. To inspect the judicial or administrative files and take notes and apply and receive certified copy thereof;

Zydus Lifesciences Limited (formerly known as Cadila Healthcare Limited)

Regd. Office : Zydus Corporate Park, Scheme No. 62, Survey No. 536, Khora (Gandhinagar), Nr. Vatika Area, E-1, S.G. Highway, Ahmedabad-382 481 Gujarat, India | Phone : +91-79-21900000, +91-79-48040000
website : www.zydus-life.com | CIN : L2423DG1999PL1025378





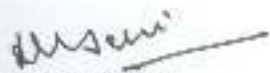
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7. To file physical and electronic forms, notices, applications and any other documents and appear before various authorities under the provisions of the Trade Marks Act, 1999, Copyright Act, 1957, Patents Act, 1970, Designs Act, 2000 and other Intellectual Property Laws and for that purpose apply for Digital Signatures, as may be appropriate, from nodal agencies appointed by Government of India;
8. And to do all acts, deeds and things which are not specifically mentioned hereinabove but may become necessary at any stage of the proceedings, in the best interest of the Company.⁴

For, ZYDUS LIFESCIENCES LIMITED


DHAVAL N. SONI
COMPANY SECRETARY
MEMBERSHIP NO. FCS 7063



Date: July 1, 2024
Place: Ahmedabad



Zydus Lifesciences Limited (formerly known as Cadila Healthcare Limited)

Regd. Office: Zydus Corporate Park, Scheme No. 67, Survey No. 596, Kankaria (Bambolimagar), Nr. Vakhodewadi Circle,
S.G. Highway, Ahmedabad-382 481, Gujarat, India. | Phone: +91-79-71800000 / +91-79-48340000
website: www.zyduslife.com | T.N.: 2423361/9957/0025878





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zydus
Dedicated To Life

Certified true copy of the resolution passed the Finance and Administration Committee of the Board of Directors of the Company in their meeting held on July 3, 2024

"RESOLVED THAT pursuant to the resolution passed by the Board of Directors (the "Board") in their meeting held on August 5, 2021 granting powers to Finance and Administration Committee ("Committee") and in supersession of all the earlier resolutions passed by the Board or the Committee, Mr. Mukund Thakkar, Mr. Kalpit Lodhia, Mr. Hiren Trivedi, Ms. Setu Joshi and Mr. Lakshman Singh Rao, be and are hereby severally authorised and appointed as the true and lawful representatives of the Company to do all or any of the acts, deeds, things specified hereinafter:

1. To make, sign, verify, file, pursue, present and institute petitions, suits, applications, complaints, information reports, writs, appeals, revisions, execution or any other proceedings before any Court, Forum, Tribunal, Arbitrator, Arbitration Tribunal, Mediator, Enforcement Authority or any Administrative Authority (hereinafter referred to as "Judicial and Administrative Authorities") under various laws, rules and regulations as may be applicable to the Company;
2. To defend, settle and pursue legal cases filed by or against the Company and to make, sign, verify, file, any written statements, applications, replies, affidavits, revisions, rejoinders, appeals, compromise pursis, settlement pursis, consent terms, consent decrees, make and accept payments, withdrawal applications, to admit or deny any document, to receive and hand over the document, to appear and adduce any evidence, to apply for transfer of case and take all such further steps as may be necessary at any stage of the proceedings before the Judicial and Administrative Authorities;
3. To appoint, engage and relieve Advocates, Attorneys, Pleaders or Law Firms to represent the Company before the Judicial and Administrative Authorities and sign Vakalatnama or authority letter in their favour;
4. To accept service of any summons, notices, warrants relating to any proceedings before the Judicial and Administrative Authorities and to accompany the process server/ bailiff for affecting the service of any notice/ summons/ warrants;
5. To issue statutory or demand notices under the provisions of the Negotiable Instruments Act, 1881, Insolvency and Bankruptcy Code, 2016 and any other similar laws for the time being in force and to take any other enforcement steps for recovery of debts;

Zydus Healthcare Limited
(A wholly owned subsidiary of Zydus Lifesciences Limited)
Corp. Office : Zydus Tower, C-15 No. 45/1B,
Village Paladi, Off I.S. Patel Road,
Gurgaon (East),
Haryana 122003, India.
Phone: 91-22-62721700

Regd. Office :
Zydus Corporate Park, Scheme No. 63,
Survey No. 536, Khodij (Gandhinagar),
Ne. Vahlandekia Circle, S. B. Highway,
Ahmedabad 382 461 G. India
Phone : (+91-79-71800000), (+91-79-40040000)
www.zydushealthcare.com | CIN : U51900GJ199791007900





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6. To inspect the judicial or administrative files and take notes and apply and receive certified copy thereof;
7. To file physical and electronic forms, notices, applications and any other documents and appear before various authorities under the provisions of the Trade Marks Act, 1999, Copyright Act, 1957, Patents Act, 1970, Designs Act, 2000 and other Intellectual Property Laws and for that purpose apply for Digital Signatures, as may be appropriate, from nodal agencies appointed by Government of India;
8. And to do all acts, deeds and things which are not specifically mentioned hereinabove but may become necessary at any stage of the proceedings, in the best interest of the Company."

Place: Ahmedabad
Date: July 4, 2024



Certified true copy,
For, Zydus Healthcare Limited,

Sanjay Kumar Gupta
Company Secretary
Membership No. ACS-19462



Zydus Healthcare Limited
(A wholly owned subsidiary of Zydus Lifesciences Limited)
Corp. Office : Zydus Tower, CTS No. 46009,
Village Pancholi, Off C.B. Patel Road,
Goregaon (East),
Mumbai 400063, India.
Phone: 91-22-62721700

Regd. Office :
Zydus Corporate Park, Scheme No. 63,
Survey No. 596, Khurja (Gwalanagar),
Mr. Valsardevi Chd. S. B. Highway,
Ahmedabad-382 401 Gujarat, India.
Phone : +91 79-71800000 / +91-79-46040000
www.zydushealthcare.com : DN : U51900G1198991079501





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BOARD RESOLUTIONS OF UNIMED/SUN:

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P-11, 146, Hare Krishna Road, Tel Pkara, Vile Parle (E), Mumbai - 400 027, Maharashtra, India. Tel: (91-22) 4248 1111.

CIN No.: U52300MH1997PLC081022

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF UNIMED TECHNOLOGIES LIMITED HELD ON MAY 9, 2024

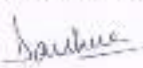
"RESOLVED THAT M^r. Rajanish Chinnai, Constituted Attorney, having PAN No. ARDE07550F, be and is hereby authorised to do all acts, deeds and actions in connection with the legal matters related to Trademark on behalf of the Company and to carry out necessary actions in this regard including but not limited to the following:

- to initiate, prosecute, attend, maintain, execute, effect, defend, oppose, depose, settle, compromise, compound, withdraw, refer to arbitration, any suit, and/or other legal action or proceedings Civil or Criminal in relation to the Trademark related matters of the Company;
- to represent the Company before any Civil or Criminal Courts of Law, including but not limited to the Supreme Court of India, the High Courts of any judicature, the District Courts, the City Civil and the Sessions Courts, the Metropolitan Magistrate and other Magistrate Courts, Tribunals, the Trade Marks Registry, Consumer Courts, Arbitration Council, Mediation Centers, or Government offices, or any legal forum having quasi-judicial powers;
- to sign, declare, affirm, submit, and/or file any letters, documents, forms, plaints, written statements, rejoinders, applications, evidence, appeals, petitions, revisions, affidavits, consent terms, Arbitration Agreement, Vakalatnama and other necessary documents on behalf of the company;
- to receive and accept notices, service or writ of Summons, costs, compensations, damages, etc. that may be served upon the company;
- to tender and lead oral and documentary evidence in any Court of Law or any authority;
- to appoint, engage, consult, instruct any advocates, pleader, counsel, solicitor or arbitrator for the above purpose as well as to obtain legal advice from them;
- to do all acts, deeds and things incidental to the powers hereinbefore mentioned and necessary for prosecuting all the suits or any other legal proceedings relating thereto on behalf of the Company as may be deemed fit and proper.

RESOLVED FURTHER THAT the authorisation under this resolution shall be valid till the time it is withdrawn by the Board.

RESOLVED FURTHER THAT any of the Directors be and is hereby severally authorised to issue a certified true copy of this resolution from time to time."

For Unimed Technologies Limited


Darshna Mehta
Director
DIN: 05275642

Place: Mumbai
Date: August 13, 2024



Regd. Office & Factory: Survey No. 22 & 24, V. K. Raju Apts., Post Office, Balasaheb Road, Balaji - 250 250, Dist. Parbhani, Maharashtra, India.
Tel: (91-2070) 247231-31 247240/41 24720, Fax: (91-2070) 247231/41 10004



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Sun Pharmaceutical Industries Limited
SUN HOUSE, Plot No. 201 B1,
Western Express Highway, Gurgaon (E),
Mumbai 400063, India
Tel.: (91-22) 4324 4324 Fax: (91-22) 4324 4343
Website: www.sunpharma.com
Email: corporate@sunpharma.com
CIN: L24230DL1900PLC019000



**CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS
OF SUN PHARMACEUTICAL INDUSTRIES LIMITED ON AUGUST 9, 2024**

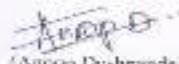
Specific Authorisation for Trademark Matter

***RESOLVED THAT** Mr Rajamallu@ Ciumalla, Constituted Attorney, having PAN No ABDPC7550P, be and is hereby authorised to do all acts, deeds and actions in connection with the legal matters related to Trademark on behalf of the Company and to carry out necessary actions in this regard including but not limited to the following:

- to initiate, prosecute, attend, maintain, execute, effect, defend, oppose, depose, settle, compromise, compound, withdraw, refer for arbitration, any suit, and/or other legal action or proceedings Civil or Criminal in relation to the Trademark related matters of the Company
- to represent the Company before any Civil or Criminal Courts of Law, including but not limited to the Supreme Court of India, the High Courts of any judicature, the District Courts, the City Civil and the Sessions Courts, the Metropolitan Magistrate and other Magistrate Courts, Tribunals, the Trade Marks Registry, Consumer Courts, Arbitration Council, Mediation Centers, or Government officers, or any legal forum having quasi-judicial powers
- to appoint, engage, consult, instruct any advocate, pleader, counsel, solicitor or attorney for the above purpose as well as to obtain legal advice from them
- to sign, declare, affirm, submit, and/or file any letters, documents, forms, plaints, written statements, rejoinders, applications, evidence, appeals, petitions, revisions, affidavits, consent terms, Arbitration Agreement, Vakalatnama and other necessary documents on behalf of the company
- to receive and accept notices, service or writ of Summons, costs/ compensations/ damages, etc., that may be served upon the company,
- to tender and lead oral and documentary evidence in any Court of Law or any authority
- to do all acts, deeds and things incidental to the powers hereinbefore mentioned and necessary for prosecuting all the suits or any other legal proceedings relating thereto on behalf of the Company as may be deemed fit and proper

RESOLVED FURTHER THAT any of the Whole-time Directors, Chief Financial Officer, Company Secretary and Compliance Officer of the Company, be and are hereby severally authorised to issue a certified true copy of this resolution from time to time."

For Sun Pharmaceutical Industries Limited


(Anoop Deshpande)
Company Secretary and Compliance Officer
ICSI Membership No. - A23983

Date: 13-08-2024



Registered Office: SPARC, Landata, Vidodara - 350 012, Gujarat, INDIA
Residing Profile: Residing@sunpharma.com



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6. Aforementioned 'settlement agreement dated 30.08.2024'

shall hereinafter be referred to as 'said settlement agreement'.



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7. To be noted, said settlement agreement was shown to Mr.Hiren Trivedi and Mr.Rajamallaiiah Cirumalla through camera and they confirmed that signatures appended therein are their signatures and both litigants and their respective counsel requested for a closure of the captioned appeal by making a judgment/order in terms of said settlement agreement.

8. Both the litigants and their respective counsel confirmed that the said settlement agreement was signed by both sides in the presence of each other and their respective counsel before the learned mediators and on this basis made a request for dispensing with personal/physical presence of aforementioned litigants {citing difficulties for them in being present physically in Court}. This common/joint request is acceded owing to nature of the matter, facts and circumstances and the kind of settlement that has been arrived at.

9. Both the learned counsel and their respective litigants confirmed that cost of Rs.5.5 lakhs has been paid by the appellants to R3 by wire transfer post said settlement agreement i.e., post 30.08.2024. This common submission made by both sides without any disputation or contestation is recorded.



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10. In the light of the narrative thus far, captioned OSA is disposed of by making a judgment/order in terms of said settlement agreement dated 30.08.2024 which shall form part of the compromise/consent decree. Consequently, captioned CMP is disposed of as closed. There shall be no order as to costs.

(M.S.J.) (R.S.V.J.)
03.09.2024

Index:Yes/No
Neutral Citation: Yes/No
mmi

To

The Sub Assistant Registrar,
Original Side, High Court,
Madras.



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O.S.A. (CAD) No.126 of 2022

**M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,**

mmi

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