

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL APPELLATE DIVISION
ORIGINAL SIDE

AO-COM/19/2024
WITH
CS-COM/217/2024
CS/155/2020
IA NO: GA-COM/2/2024

Khaitar Industries Pvt Ltd And Anr
VS
Khaitan India Ltd

BEFORE:

The Hon'ble JUSTICE SOUMEN SEN
AND

The Hon'ble JUSTICE SMITA DAS DE
Date : 26th March, 2025.

Appearance:

Mr. Subhasish Sengupta, Adv.
Mr. Avirup Chatterjee, Adv.
Mr. Rishov Das, Adv.
...for the appellants

Mr. Imtiaz Ahmed, Adv.
Mr. Sourajit Dasgupta, Adv.
Mr. Rajesh Upadhyay, Adv.
Mr. Ghazala Firdaus, Adv.
Mr. Mohammed Arsalan, Adv.
...for the respondent.

1. The Terms of Settlement dated 24th March, 2025 duly signed by the parties and their respective attorneys recording compromise of the disputes of the parties is taken on record.
2. The said agreement is lawful.
3. By consent of the parties, CS-COM/217/2024(Old No. CS/155/2020) is disposed of in terms of the said Terms of Settlement.

4. The Department is directed to draw up decree as expeditiously as possible on the basis of the Terms of Settlement dated 24th March, 2025.
5. The appeal and the connected application stand disposed of.
6. The Department shall record the disposal of the suit as well as the appeal and the connected applications as disposed of on this date in terms of this order.
7. It is made clear that all unsold infringed goods shall be either destroyed or may be used upon removing the infringing mark and particulars thereof shall be furnished to the Advocate-on-record of the plaintiff. This shall also form part of the decree.

(SOUMEN SEN, J.)

(SMITA DAS DE, J.)