

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

INTERIM APPLICATION (L) NO. 12059 OF 2024
IN
COMMERCIAL IP SUIT (L) NO. 11837 OF 2024
WITH
COURT RECEIVERS REPORT NO. 229 OF 2024
WITH
LEAVE PETITION (L) NO. 12422 OF 2024

Asian Paints Limited

...Applicant/Plaintiff

Versus

Vivek Agarwal Trading As Durga Paints & Company & Anr. ...Defendants

Ms. Parveen Anand i/b Khaitan & Co., for Plaintiff.

Mr. Krishna Joshi for Defendants.

Mr. Deepak Bhalerao, 2nd Assistant to Court Receiver, Present.

CORAM : ARIF S. DOCTOR, J.

DATE : 13th OCTOBER 2025

P.C.

1. Learned counsel for the parties have today tendered consent terms by which it is submitted that all the disputes and differences between the parties in the Captioned Commercial IP Suit have been amicably resolved. The execution of the consent terms is duly supported by the report of the Section Officer of this Court which reads thus:

“The consent terms are duly signed by the Authorized Signatories of Plaintiff and Defendant Nos.1 & 2 mentioned as above. The parties have admitted the contents of the consent terms. The consent terms are duly signed by the parties out of their free will without any undue influence and coercion. The consent terms are duly executed by the signatories.”

2. Having due regard to the fact that the consent terms have been duly executed. The same are marked “X” and taken on record.
3. At the outset, parties by consent agreed that the petition filed for Leave under Clause XIV be allowed. The same is accordingly allowed.
4. The undertakings given in consent terms are accepted as undertakings given to the Court.
5. The Suit is disposed of in terms of the said consent terms.
6. The Court Receivers Report No.229 of 2024 shall stand disposed of.
7. The Court Receiver will stand discharged without passing of accounts on the Applicant/Plaintiff undertaking to make payment of all the necessary costs, charges and expenses of the Court Receiver.
8. A soft copy of the Consent Terms will be uploaded as the second order in the matter. The Registry is to ensure that the hard copy of the signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.
9. All pending applications are disposed of.
10. Refund of Court fees as per rule.

(ARIF S. DOCTOR, J.)