

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

INTERIM APPLICATION (L) NO. 30755 OF 2024
IN
COMMERCIAL IP SUIT NO. 240 OF 2024

Mukesh Makhija

...Applicant/Plaintiff

Versus

Bhagwandas R Kotwani

...Defendant

Mr. Anand Mohan i/b Ms. Pooja Shah for Plaintiff.

Mr. Deepak Bhalerao, Second Assistant to Court Receiver, present.

CORAM : ARIF S. DOCTOR, J.

DATE : 24th SEPTEMBER 2025

P.C.

1. Learned counsel for the applicant/plaintiff has toady tendered consent terms by which he submits that the plaintiff and defendant No.1 to the captioned Commercial IP Suit have amicably resolved their disputes and differences. Insofar as defendant Nos.2 & 3 are concerned, he submits that the suit is not being pressed against defendant Nos.2 & 3 and submits that they may be deleted from the array of parties.

2. Learned counsel has also pointed out that execution of the consent terms has been duly verified by the Section Officer of this Court. He places reliance upon the verification report submitted by the Section Officer which *inter alia* reads thus:

“Thus, I have verified the Consent Terms. The parties gave admitted the consents 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.”

3. In this backdrop, he submits that the suit be disposed of in terms of consent terms.

4. Having due regard to the submission made and having noted that the consent terms have been duly verified and thus supported by a report of the Section Officer. The same are marked “X” and taken on record.

5. The suit as between the plaintiff and defendant No.1 is disposed of in terms of consent terms.

6. Insofar as defendant Nos.2 & 3 their names shall be struck off from the array of parties which amendment shall be carried out by the learned advocate for the applicant/plaintiff within a period of one week from today.

7. Reverification is dispensed with.

8. In view of the aforesaid consent terms, the Court Receiver shall now release the seized goods to the custody of the applicant/plaintiff in terms of paragraph No.5(d) of the consent terms.

9. In view of this, the Court Receivers Report No.8 of 2025 shall stand disposed of.

10. The Court Receiver shall also stands discharged on payment of all necessary costs, charges and expenses incurred by the Court Receiver.

11. Learned counsel for the applicant/plaintiff undertakes to do so.

12. In view of the aforesaid order, the Leave Petition as also the Interim Application shall stand disposed of.

(ARIF S. DOCTOR, J.)