

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

**INTERIM APPLICATION (L) NO. 19004 OF 2024
WITH
COURT RECEIVER REPORT NO.309 OF 2024
WITH
LEAVE PETITION (L) NO. 19034 OF 2024
IN
COMMERCIAL IP SUIT NO.333 OF 2024**

Asian Paints Limited

...Applicant/

...Petitioner/Plaintiff

Versus

Suresh Wadhwani

...Respondent/Defendant

Mr. Vinod Bhagat a/w. Ms. T. Singh i/b Vinod A. Bhagat for the Plaintiff.

Mr. S. Khandelwal for the Defendant in Com (IP) Suit No.333/2024.

Mr. Suresh Wadhwani, Defendant in person present.

Mr. V. N. Worlikar, Section Officer, Court Receiver present.

CORAM : MANISH PITALE, J.

DATE : 28th FEBRUARY 2025

PC. :

1. The learned counsel for the parties inform this Court that dispute between the parties are settled and the Consent Terms have been executed. Consent Terms are signed by the constituted attorney of the plaintiff as well as the defendant and their respective advocates.
2. Defendant had agreed to submit to decree in terms of prayer clauses (a), (b) and (c) of the plaint. The Demand Draft of Rs.75,000/- in terms of clause (vi) of the Consent Terms has been

handed over to the representative of the plaintiff in the Court today. Defendant has also agreed to destroy all the offending material within a period of two weeks from the execution of this Consent Terms.

3. Leave Petition is allowed by consent.
4. The undertakings given in the Consent Terms are accepted as undertakings given to this Court.
5. A soft copy of the consent minutes or order shall be uploaded as second order in the matter. A hard copy of duly signed consent minutes of order shall be retained in the record and shall not be sent for destruction in the usual course.
6. In view of the disposal of the suit, the Court Receiver stands discharged without passing up of accounts and upon payment of costs, charges and expenses, if any, to be borne by the plaintiff. The report of the Court Receiver is accordingly disposed of.
7. Pending applications, if any, also stand disposed of.
8. The Court fees shall be refunded as per rules. For the purpose of Section 43 of the Maharashtra Court Fees Act and the proviso thereto, today's date shall be the date of making a claim for repayment. The Prothonotary and Senior Master shall proceed to issue a certificate for refund of Court fees, on the basis of an authenticated copy of this order, without insisting upon a separate application.

(MANISH PITALE, J.)