

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION(L) NO. 31535 OF 2024
IN
COMMERCIAL IP SUIT NO. 301 OF 2023

Asma Farid Noorani

...Applicant/Plaintiff

Versus

Haji Ali Fresh Fruit Juices

...Defendant

WITH
COURT RECEIVER REPORT NO. 114 OF 2025
WITH
INTERIM APPLICATION(L) NO. 26384 OF 2023
WITH
COURT RECEIVER REPORT NO. 415 OF 2023
IN
COMMERCIAL IP SUIT NO. 301 OF 2023

Mr. Minesh Andharia & Mr. Jay Shah i/b Krishna & Saurastri Associates LLP, for
Plaintiff.

Mr. Shubham Agrawal, for Defendant No. 2.

CORAM : ARIF S. DOCTOR, J.
DATE : 4th December, 2025

P.C.

1. Learned counsel for the parties have tendered Consent Minutes of the Order. This Minutes of the Order are duly signed by the Advocates for the Plaintiff and Defendant No. 2.

2. Mr. Agrawal, learned counsel for Defendant No. 2 points out that the Defendant No. 2 is the partnership entity, who was using the impugned mark and Defendant Nos. 3 and 4 are partners of the Defendant No. 2. Therefore, Mr. Agrawal clarifies that having executed the Minutes of the Order on behalf of

Defendant No. 2, the same would naturally and equally be binding upon the Defendant Nos. 3 & 4. The Minutes of the Order is taken on record and marked 'X' for identification and same is scanned and reproduced hereinbelow:

CORAM : ARIF S. DOCTOR, J.

Date :-

04/12/2024

Taken on record
marked 'X'
04/12/2025

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL IP SUIT NO. 301 OF 2023**

Asma Farid Noorani)
Sole proprietrix trading in the name and)
style of M/s Haji Ali Juice Centre)
having its place of business at)
128, Lala Lajpatrai Road, Hajiali Circle,)
Mumbai – 400 026) ...Plaintiff

Versus

- 1. Haji Ali Fresh Fruit Juices**)
having its address at Main Road, East Fort,)
Tripunithura, Ernakulam, Kerala – 682 301)
- 2. Bread and Butter**)
having its address at Main Road, East Fort,)
Tripunithura, Ernakulam, Kerala – 682 301)
- 3. Renolze Rehman**)
Residing at 6A, 1216 Link Heights)
Panampilly Nagar, Panampilly Nagar)
Avenue, Ernakulam, Kerala – 682 036)
- 4. Vinoo Vijayan**)
Residing at 1 513, Fort Kochi, Fort Nagar,)
HPO, Kochi, Ernakulam, Kerala – 682 001) ...Defendants

MINUTES OF ORDER

The Plaintiff and the Defendants above named hereby amicably resolve the dispute comprised in the above suit on the terms and conditions set out herein below:

1. The present suit is filed by the Plaintiff against the Defendants for infringement of trademark, passing off and damages.
2. Defendant No. 2 is a partnership firm duly registered with the Registrar of Firms, Government of Kerala, under registration no. 293/2021. Its partners are Mr. Renolze Rehman (Defendant No.3) and Mr. Vinoo Vijayan (Defendant No.4). Defendant Nos. 2, 3 and 4 are hereinafter collectively referred to as "Defendants".
3. Defendant No.2 by its Affidavit in Reply dated 25th April 2025 has stated that Defendant No.1 i.e. Haji Ali Fresh Fruit Juices is not an entity recognized by law and the same was used to only conduct its business.
4. Based on submission of Defendant No.2., the Plaintiff and Defendants both have mutually agreed to delete Defendant No.1 from array of parties.
5. The Defendants undertake not to use the trade mark HAJI ALI FRESH FRUIT



JUICES with a device of APPLE and/or and/or HAJI ALI and/or any other word/expression/label which is identical with and/or deceptively similar to, in any manner whatsoever, the Plaintiff's registered trade mark HAJI ALI JUICE CENTRE so as to infringe the Plaintiff's registered trademarks bearing nos. bearing nos. 563477 and 1933379.

6. The Defendants undertake not to use the trade mark HAJI ALI FRESH FRUIT



JUICES with a device of APPLE and/or and/or HAJI

ALI and/or any other word/expression/label which is identical with and/or deceptively similar to, in any manner whatsoever, the Plaintiff's trademark HAJI ALI JUICE CENTRE so as to pass off and/or enable others to pass off the Defendant's goods and services as and for that of the Plaintiff.

7. In view of the aforesaid undertakings, the Defendants hereby submits to a decree on admission in terms of prayer clauses 59 (a), (b), (d) and (e) of the Plaint, which are reproduced herein as-

59 (a) that the Defendants by themselves, through their partners, proprietors, permitted assigns, servants and agents and/or otherwise howsoever be restrained by a perpetual order and injunction of this Hon'ble Court from using the impugned marks 'Haji Ali Fresh Fruit Juices' and/or



and/or any other word/expression/label identical with or deceptively similar thereto in any manner whatsoever in relation to services relating to providing of food and drink, juices, soft drinks, snacks, pies, sandwich, burger, pizza, roll, fruit and vegetable juices, fruit drinks, soft drinks, syrups and other preparations for making beverages, catering services, juice centre, restaurants, providing of food counters, cafes, and allied services, so as to infringe the Plaintiff's registered trade marks bearing no. 1933379 in class 43 and 563477 in class 32 being Exhibits C1 to C2 hereto.

(b) that the Defendants by themselves, through their partners, proprietors, servants and agents and/or otherwise howsoever be restrained by a perpetual order and injunction of this Hon'ble Court from using the impugned marks 'Haji Ali Fresh



Fruit Juices' and/or and/or any other word/expression/label identical with or deceptively similar thereto in any manner whatsoever in relation to services relating to providing of food and drink, juices, soft drinks, snacks, pies, sandwich, burger, pizza, roll, fruit and vegetable juices, fruit drinks, soft drinks, syrups and other preparations for making beverages, catering services, restaurants, juice centre, providing of food, cafes and allied services, so as to pass off and/or enable others to pass off the impugned services and/or business and/or commercial activities of Defendants bearing the impugned trade mark as and for that of the Plaintiff.

(d) that the Defendants be ordered and decreed to delivery up to the Plaintiff for destruction without compensation all articles, dies, papers, wrappers, labels, cash memos, vouchers, visiting card, menu cards, letter heads, folder, samples, stationery, stickers, sign boards, packaging and all other things bearing and/or containing reference to the impugned marks 'Haji Ali Fresh Fruit Juices' and/or



and/or 'HAJI ALI' either as the trade mark or as part of their trading name and/or trading style or otherwise in any manner whatsoever;

(e) To declare Plaintiff's trade name and trade mark HAJIALI JUICE CENTER and HAJIALI JUICE CENTER with device of apple as Well-known trade mark under section 2(1)(zg) within the meaning of the provisions of Trade Marks Act, 1999.

8. As regards damages, the Defendants agree and undertake to pay the Plaintiff a sum of **Rs. 8,00,000/- (Rupees eight lakhs only)** in the following manner:

SR. NO.	DATE OF PAYMENT	AMOUNT (IN INR)
1.	On or before 15-12-2025	2,00,000/-
2.	On or before 15.01.2026	2,00,000/-
3.	On or before 15.02.2026	2,00,000/-
4.	On or before 15.03.2026	2,00,000/-
	TOTAL RS.	8,00,000/-

9. The above-mentioned payment shall be made directly through RTGS/online bank transfer to the Plaintiff's bank account, details of which are as follows:

Name of the Bank	Beneficiary Name	Account Number	RTGS/ NEFT/ IFSC Code
ICICI Bank- Mumbai, Tardeo Branch	HAJIALI JUICE CENTRE	035605001947	ICIC0000356

10. In the event the Defendants fail to make the above-mentioned payment, and/or there is any default and/or delay in making such payment, the Defendants shall be liable to pay a penalty of Rs. 5,000/- per day until the payment is made. If there is default on the part of the Defendants, the same will be construed as breach and the Plaintiff shall have right to initiate appropriate action against the Defendants. The Defendants have also agreed to deposit post-dated cheques in favour of the Plaintiff. It is further agreed that upon receipt of the full and final payment, the said post-dated cheques shall be returned to the Defendants.
11. The Defendants agree and undertake that except above said outlet having address at Main Road, East Fort, Tripunithura, Ernakulam, Kerala – 682 301 there are no other outlets operated/ owned/controlled by him directly and/or indirectly under the name and mark Haji Ali Fresh Fruit Juices with or without device of apple.

Dated this 4th day of December 2025


Krishna & Saurastri Associates LLP
Advocates For the Plaintiff


Advocates for the Defendants No. 2

3. It is clarified that the Cheque, which finds reference in Paragraph No. 10 of the aforesaid Minutes of the Order is only given as and by way of a security.
4. Learned counsel at this stage submits that the Defendant No. 1 is not a legal entity and thus seeks deletion of the name of Defendant No. 1, the name of Defendant No. 1 accordingly to be deleted. Amendment to be carried out within a period of one week from today. Reverification is dispensed with.
5. Hence the suit is disposed of in terms of Minutes of the Order.
6. Interim Applications shall also stand disposed of in light of this order.
7. The Court Receiver shall stands discharge on payment of all necessary costs and charges of which the Applicant undertakes to do so without passing accounts.

(ARIF S. DOCTOR, J.)