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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT (L) NO. 97 OF 2017
WITH
NOTICE OF MOTION (L) NO. 353 OF 2017
AND
LEAVE PETITION NO. 52 OF 2017**

Hindustan Unilever Limited ...Plaintiffs
Versus
Royal Brigade Paints ...Defendants

Mr Ashutosh Kane, i/b WS Kane & Co, for the Plaintiffs.
Mr Mohan Krishnappa, Proprietor of the Defendant, in peson.
Mr MR Mandavgade, OSD from the Office of Court Receiver, is
present.

CORAM: G.S. PATEL, J
DATED: 6th March 2017

PC:-

1. The Defendants having been served, the Leave Petition under Clause XIV of the Letters Patent is made absolute.
2. Mr. Mohan Krishnappa, Proprietor of the Defendant is personally present in Court. He says that the Defendant submits to a decree in terms of prayer clauses (a), (b) and (d) of the Suit. He also agrees to withdraw his trade mark Application No. 3310606 filed on

16th July 2016 with the Trade Mark Registry at Chennai. He will do so within three weeks from today. The Defendant will file an Affidavit of compliance within sixteen weeks from today. In view of this, Mr. Kane does not presses his prayer for damages.

3. The Suit is decreed in these terms with no order as to costs. Drawn up decree is dispensed with. Refund of Court Fees, if any, in accordance with the Rules.

4. The Court Receiver had sealed certain goods. These are to be destroyed by the Defendants at their cost within a period of 12 weeks.

5. The Court Receiver stands discharged without passing accounts but on payment of his costs, charges and expenses within four weeks from today by the Plaintiffs.

6. Notice of Motion (L) No. 353 of 2017 does not survive and is disposed of accordingly.

7. The Defendant has in addition agreed to make payment of an amount of Rs 5,000/-. Mr Kane agrees that this amount may be directed to be paid to a worthwhile cause, Naam Foundation, 15 & 16, Ajay Shopping Centre, T.H. Katariya Marg, Matunga (West), Mumbai 400 016 set up by Mr Nana Patekar and Mr Makarand Anaspure for yeoman work in drought relief in the State. The amount will be paid directly by the Respondent within fifteen days from today.

8. All concerned to act on an authenticated copy of this Order.

(G. S. PATEL, J.)