

ITEM NO.61

COURT NO.7

SECTION XIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 17341/2010  
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 11/05/2010  
IN RFA NO. 371/2007 PASSED BY THE HIGH COURT OF KERALA AT  
ERNAKULAM)

AMMINI KARNAN & ORS.

PETITIONER(S)

VERSUS

NIRAPARA ROLLER FLOUR MILLS P.LTD. & ORS. RESPONDENT(S)  
[WITH APPLN.(S) FOR EXEMPTION FROM FILING O.T. AND PERMISSION TO  
FILE ADDITIONAL DOCUMENTS AND INTERIM RELIEF AND OFFICE REPORT]  
(FOR FINAL DISPOSAL)

WITH

SLP(C) NO. 24837/2010  
(WITH INTERIM RELIEF AND OFFICE REPORT)

SLP(C) NO. 25600/2010  
(WITH INTERIM RELIEF AND OFFICE REPORT)

SLP(C) NO. 25767/2013  
(WITH INTERIM RELIEF AND OFFICE REPORT)

Date : 12/07/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s)

SLP(C) 17341/10 &  
25767/13

Mr. Sudheer Chandra Aggarwal, Sr. Adv.  
Mr. B.K. Gopalakrishnan, Adv.  
Mr. Nishe Rajen Shonker, Adv.

SLP(C) 24837/10 & rr  
in SLP(C) 17341/10,  
25767/13

Mr. Vizzy George, Adv.  
Mr. Mukul Kumar, Adv.

For Respondent(s)

SLP(C) 24837/10

for M/s. T. T. K. Deepak & Co., Adv.

Mr. Ashok Panda, Sr. Adv.  
Mr. Mohan Prasad Gupta, Adv.  
Mr. G.S. Maroria, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

We have perused the terms of settlement arrived at by and between the parties pursuant to the order of the Court. We have also heard the learned counsels for the said parties. All the cases shall stand disposed of in terms of the following order as agreed by and between the parties:

1. M/s Nirapara Roller Flour Mills Pvt. Ltd. (petitioner in Special Leave Petition (Civil) No.24837 of 2010) shall be entitled to use the mark "NIRAPARA" in respect of wheat and wheat products including Maida, Bran, Bran flakes and poultry feeds exclusively.

2. M/s Ammini Karnana (petitioner in Special Leave Petition (Civil) Nos.17341/2010 and 25767/2013) shall be entitled to use the mark "NIRAPARA" in respect of rice, rice products, spices, masalas, curry powders, pickles exclusively. Insofar as the other products are concerned, the parties have not agreed to any specific terms. However, as and when a dispute arise, if any, in respect of any other product the parties may resolve the same mutually

or by recourse to such remedies that may be available in law.

3. Insofar as the wheat products including Upma Rava and Wheat Puttu Podi manufactured by M/s Ammini Karnana (petitioner in Special Leave Petition (Civil) Nos.17341/2010 and 25767/2013) are concerned, six months' time is granted to the said petitioner to dispose of the products now in the market.

All the Special Leave Petitions as also all pending applications are disposed of in the above terms.

[VINOD LAKHINA]  
COURT MASTER

[ASHA SONI]  
COURT MASTER