

**Present: Sri Utpal Misra (JO: Code WB00659)**  
**Judge, Commercial Court at Alipore**  
**Title Suit 28 of 2023**  
**CNR No: WBSP18-000135-2023**

Order No. 03  
19.09.2023

In the matter of:  
Suit for infringement of Trade  
Mark under Section 134 of the  
Trade Mark Act, 1999,  
infringement of copyright  
under Section 62 of the  
copyright act, 1957, passing  
off and perpetual injunction  
valued at Rs.10,00,00,000/-

And  
In the matter of:  
SAJ Food Products Pvt. Ltd.  
Vs.  
In the matter of:  
Anmol Industries Limited.

**ORDERED**

The record is put up today as the plaintiff/petitioner by way of filing an application prays for put up of the instant case record as they want to move application under Order VI Rule 17 of the CPC.

The plaintiff/petitioner files two applications under Order VI Rule 17 of the CPC and those have been registered as I.A Nos. 04/2023 and 05/2023.

Seen the both applications i.e., I.A Nos. 04/2023 and 05/2023 and heard Ld. Lawyer for the plaintiff/petitioner.

Considered.

It appears that both these two applications have been filed by the plaintiff/petitioner in order to amend the cause title of the injunction applications, plaint, cause title of the list of documents as per under Order XI Rule 1(1) (2) of the CPC, cause title of the affidavit under Order XI Rule 1(4) of the CPC as well as the cause title of the affidavit as per Order XI Rule 6(3) of the Commercial Courts Act, 2015.

It is the contention of the plaintiff/petitioner that due to typographical mistakes regarding jurisdictions of the instant suit

have been erroneously mentioned in the cause title of plaint, injunction etc. So, the plaintiff/petitioner by way of filing the instant two applications intend to amend the cause title of those documents mentioned above as mentioned in the schedule of those two applications. It is further contention of the plaintiff/petitioner that those amendments are formal in nature and will not change the nature and character of the instant suit or the connected injunction applications and such amendments are necessary for effective adjudication of the disputes involved in the suit and the connected applications.

So, having heard the submissions of the Ld. Lawyer as well as perusing the applications, I am of the view that the proposed amendments are formal in nature and will not change the nature and character of the instant suit and those are necessary for effective adjudication of the instant suit. Hence, those two applications under Order VI Rule 17 of the CPC are allowed for the ends of justice.

Hence, the applications being I.A Nos. 04/2023 and 05/2023 are thus accordingly disposed off.

D.A to do the needful.

Note in the register.

Todate i.e., **11.10.2023 at 11:30 a.m.**

Parties to act on the basis of the downloaded copy of the ordersheet from the Web-site/Ecourts-app.

Dictated & corrected by me,

Sd/-

Judge, Commercial Court at Alipore  
For districts of South 24 Parganas, Purba Medinipur,  
Paschim Medinipur & Jhargram

Sd/-

Judge, Commercial Court at Alipore  
For districts of South 24 Parganas, Purba Medinipur,  
Paschim Medinipur & Jhargram