



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

INTERIM APPLICATION (L) NO. 9555 OF 2025
IN
COMMERCIAL IP SUIT NO. 276 OF 2024

Kamlakar Maruti Rakshe

... Applicant/Plaintiff.

Versus

Ashok Dixit

... Respondent/Defendant.

Mr Bhupesh Dhumatkar i/by Ms. Kaizeen Mistry for Applicant/Plaintiff.
Mr V.R. Tripathi for the Defendant.

Coram : Sharmila U. Deshmukh, J.

Date : April 01, 2026

P.C. :

1. Interim Application has been preferred seeking amendment to bring on record the subsequent events which had taken place pursuant to the execution of the ad-interim order passed by this Court.
2. Perusal of the proposed amendment would indicate that in view of the reply filed by the proposed Defendant that he is the owner of the business and the suit has been filed against the wrong person and by reason of additional material discovered during the execution of the commission, the application for amendment is filed.

3. Learned counsel appearing for the Defendant No.1 would oppose the application. Upon query by this Court, he submits that he does not represent the proposed Defendant. Considering that by way of the proposed amendment, it is the Defendant No.2, who is sought to be impleaded as party and he has filed an affidavit in this Court that he is the owner of the business Ladoo Samrat, the Counsel for the Defendant No.1 cannot be heard to oppose the Interim Application for amendment. The contention that the Defendant No.1 be deleted is not relevant for the purpose of deciding the present application for amendment.

4. In view of the above, the Interim Application is allowed. Amendment to be carried out within a period of three weeks. Reverification is dispensed with.

[Sharmila U. Deshmukh, J.]