



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

**INTERIM APPLICATION(ST) NO. 17939 OF 2025
IN
COMMERCIAL INTELLECTUAL PROPERTY RIGHTS SUITS NO. 386 OF
2017**

Dr Ashok M Bhat

...Plaintiff

Versus

R V Pharmaceuticals

...Defendant

*Mr. Vinod Bhagat a/w Ms. Aishwarya Lad a/w Ms. Sonam Pradhan i/b. Mr. Vinod
A. Bhagat for the Plaintiff.*

Coram : Sharmila U. Deshmukh, J.

Date : 10th July, 2025.

P. C. :

1. The application has been preferred under Order XXXIX Rule 2A of the Civil Procedure Code alleging disobedience of the order dated 19th January 2017 read with 20th November 2021.
2. Mr. Bhagat, learned counsel appearing for the Plaintiff would submit that the Defendant after the injunction order continued with the infringement of the label/ device mark with a minor variation of the earlier impugned label.
3. The order of injunction dated 19th January 2017 restrained the Defendant from marketing and selling their products in a get



up/layout/design/style which is identical with and/or substantially similar to the original artistic work as depicted on the Plaintiff's carton and label. The Defendant is continuing with the use of the Plaintiff's label and device mark with minor variations despite injunction order dated 19th January 2017 continuing to bind the Defendant.

4. Issue notice to the Defendant returnable on **31st July 2025**.
5. In addition to Court notice, the Plaintiff is permitted to serve the Defendant by private notice by all permissible modes of service and to file affidavit of service before the next date.

[Sharmila U. Deshmukh, J.]