

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO.7211 OF 2025
IN
COMMERCIAL IP SUIT NO.155 OF 2024

Atlas Refinery Inc. ... Applicant / Plaintiff

Vs.

Atlas Refinery Private Limited and anr... Respondents / Defendants

WITH
INTERIM APPLICATION (L) NO.18952 OF 2024
WITH
LEAVE PETITION (L) NO.20441 OF 2024
IN
COMMERCIAL IP SUIT NO.155 OF 2024

Dr. Virendra Tulzapurkar, Senior Advocate a/w. Mr. Muralidhar Khadilkar, Ms. Neeta Solanki, Mr. Kiran Dubey and Mr. Ayush Jain i/b. Unison Legal for Applicant / Plaintiff.

Mr. Vishal Shriyan a/w. Mr. Aditya Seetharaman i/b. Mr. Vishal Shriyan for Defendant No.1.

Mr. Rashmin Khandekar a/w. Mr. Nishad Nadkarni, Mr. Aasif Navodia, Ms. Tanvi Goenka and Ms. Jaanvi Chopra i/b. Khaitan & Co. for Defendant No.2.

CORAM : MANISH PITALE, J.

DATE : MARCH 28, 2025

P.C. :

INTERIM APPLICATION (L) NO.7211 OF 2025

. By this application, the applicant / plaintiff seeks to amend the pleadings in order to bring on record registration of two trademarks as also certain subsequent events, which according to the applicant / plaintiff, are relevant in the present proceeding. Defendant Nos.1 and 2 have filed their reply affidavits.

2. This Court has considered the application as well as the reply

affidavits and the submissions made by the learned counsel on behalf of the rival parties.

3. Having considered the same, this Court is of the opinion that the application can be allowed as the proposed amendment does not change the nature of the Suit and it refers to events, that took place during the pendency of the present proceedings.

4. Needless to say, the defendants would be entitled to respond to such amended pleadings in an appropriate manner.

5. Interim Application (L) No.7211 of 2025 is allowed.

6. The applicant / plaintiff is granted leave to amend the pleadings as per the Schedule of proposed amendment within a period of two weeks from today.

7. Re-verification is dispensed with.

8. The defendants are granted time of two weeks thereafter to file an additional affidavit in reply in the pending interim application i.e. Interim Application (Lodging) No.18952 of 2024 and also to file an additional written statement in response to the amended pleadings.

9. Rejoinder affidavit, if any, be filed within a week thereafter.

10. List the proceedings for further consideration on 10.06.2025, High on Board.

(MANISH PITALE, J.)

Minal Parab

Digitally signed
by MINAL
SANDIP
PARAB
DN: cn=MINAL
SANDIP
PARAB, o=