

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL MISCELLANEOUS PETITION NO.126 OF 2025**

On Clouds Gmbh

...Petitioner

Versus

Miltex Apparels and Another

...Respondents

VISHAL
SUBHASH
PAREKAR

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by VISHAL
SUBHASH
PAREKAR
Date: 2025.10.07
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Mr. Hiren Kamod a/w. Mr. Bhavya Shah i/b. A&P Partners, for the Petitioner.
Mr. Gauraj Shah a/w. V.A. Joshi, Mr. Yogesh Patel, Mr. Vir Patel i/b. Chitnis
Vaithy & Co., for the Respondent.

CORAM : ARIF S. DOCTOR, J.

DATE : 7th OCTOBER, 2025

P.C

1. Mr. Shah, learned counsel appearing on behalf of the Respondents today tendered an affidavit in reply and requested the same be taken on record since there was some difficulty facing in e-filing.
2. Mr. Kamod, learned counsel for the Petitioner does not have any objection.
3. Affidavit in reply is taken on record.
4. Three weeks time as prayed for is granted for filing affidavit in re-joinder.
5. Stand over to 18th November, 2025.
6. At this stage, Mr. Kamod points out that the Petitioner's Application No. IRDI-5976189 for trade mark under class 25 is scheduled for hearing

tomorrow before the Trade Mark Registry. He submits that there is an objection by Respondent No. 2. Mr. Kamod submits that this proceeding has a direct impact on the proceeding before the Trade Mark Registry. He submits that the matter before the Trade Mark Registry be deferred.

7. Hence, given that the outcome of the present proceeding certainly have a direct impact on the proceeding before the Trade Mark Registry, in my view, in the fitness of things, it would be appropriate to defer the hearing before the Trade Mark Registry, as no prejudice would be caused to the parties.

8. Hearing of Petitioner's Application No. IRDI-5976189 before the Trade Mark Registry is deferred till the next date.

[ARIF S. DOCTOR, J.]