

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

**COMMERCIAL IP SUIT NO. 153 OF 2014
WITH
INTERIM APPLICATION NO. 4688 OF 2025
IN
COMMERCIAL IP SUIT NO. 153 OF 2014**

Ultratech Cement Limited & Anr. ... Applicants/Plaintiffs
Vs.
Dalima Cement Bharat Limited ... Defendants

Mr. Hiren Kamod a/w Mr. Prem K. & Alka Palekar (through V. C.) i/b V. A.
Associates for Plaintiff.

CORAM : ARIF S. DOCTOR, J.

DATE : 2nd SEPTEMBER 2025

P.C.

1. Mr. Kamod, learned counsel appearing on behalf of the applicant/plaintiff submits that the captioned Interim Application has been filed seeking certain formal amendments to the plaint to bring on record events which have transpired subsequent to the filing of the plaint.

2. Mr. Kamod then points out that the defendants have been appearing in the captioned Commercial IP Suit and had on 13th August 2025 been served with a copy of the captioned Interim Application despite which they had not appeared

nor sought time to file any reply to oppose the same. Mr. Kamod then submitted that the amendment sought for, are purely formal in nature and that the suit was at the pretrial stage and thus the amendment ought to be allowed. He thus submitted that the Interim Application be allowed and the applicant be permitted to amend the plaint in terms of the schedule appended to the Interim application.

3. After having heard Mr. Kamod, I am satisfied that the amendments which are sought for, are purely formal in nature. No prejudice will be caused to the defendant, if the same is allowed. Furthermore, the defendant though served has not even chosen to appear and oppose the interim application.

4. Hence, for the aforesaid reason, the interim application is allowed in terms of prayer clause (a). The defendants shall be at liberty to file an additional written statement, if they so desire within a period of two weeks from date on which the amended plaint is served upon them. Reverification is dispensed with.

5. Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)