



MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 27755 OF 2025
IN
COMMERCIAL IPR SUIT (L) NO. 22108 OF 2025**

Stove Kraft Limited ... Applicant

Vs.

Atomberg Technologies Private Limited ... Defendant

**WITH
COMMERCIAL IPR SUIT (L) NO. 22108 OF 2025
WITH
INTERIM APPLICATION (L) NO. 29573 OF 2025
WITH
INTERIM APPLICATION (L) NO. 22154 OF 2025
WITH
COURT RECEIVER REPORT NO. 384 OF 2025
IN
COMMERCIAL IPR SUIT (L) NO. 22108 OF 2025**

Atomberg Technologies Private Limited ... Plaintiff/Applicant

Vs.

Stove Kraft Limited ... Defendant

Dr. Veerendra Tulzapurkar, Senior Advocate a/w Hiren Kamod a/w
Vaibhav Keni a/w Prem Khullar a/w Neha Iyer a/w Vatsala Batra i/b
Legasis Partners for the Plaintiff and for the Applicant in IA(L)/29573
of 2025.



Mr. Akshay Patil a/w Akshay Kamble a/w Neha Patil a/w Trupti Poojary i/b Vivaka Partners for the Defendant.

Mr. Swayam S. Chopda, OSD, Court Receiver, Present.

CORAM : GAURI GODSE, J.

DATED : 30th SEPTEMBER 2025

ORDER:

1. By order dated 17th September 2025, this Court recorded a statement on behalf of the defendant and they will remove the display of the impugned fan which is subject matter of the suit from their website immediately, once the order is dictated and will not wait for uploading of the order. The further statement was made that the defendants will immediately write to all dealers and inform them about the injunction order passed by this Court on 24th July 2025.

2. Learned counsel for the defendant tendered compliance affidavit dated 22nd September 2025. The same is taken on record. In paragraph 5 of the affidavit, the defendant states that as per directions of this Court vide order dated 17th September 2025, the defendant has taken all the necessary steps to remove all the display of the impugned fans from its website and social media handles.

3. Learned senior counsel for the plaintiff makes a grievance



that even today, the impugned fans are displayed on the website of the defendant and on the facebook account. He has tendered printouts taken from the website on 30th September 2025. The printouts are taken on record.

4. Prima facie, the printouts indicate that there is the breach of the statement made before this Court as recorded in order dated 17th September 2025. There is no positive statement made by the defendant in the compliance affidavit that the statement made on behalf of defendant is complied by removing the display of the impugned fans.

5. Hence, prima facie case is made out to issue notice in interim application filed by the plaintiff under Order XXXIX Rule 2A of the Civil Procedure Code.

6. At this stage, learned counsel for the defendant submits that he shall take instructions as to whether the application filed under Order XXXIX Rule (4) of the Civil Procedure Code shall be withdrawn and the defendant shall immediately remove all the display in terms of the statement made before this Court on 17th November 2025. In view of such a request, at this stage, I am refraining from passing any order to issue notice under Order XXXIX Rule 2A.



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7. By way of last chance to the defendant, list the applications on 6th October 2025.
8. Ad-interim relief already granted shall continue till further orders.

(GAURI GODSE, J.)