

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO.22321 OF 2022
IN
COMMERCIAL IP SUIT NO.416 OF 2022

Docfliq Private Limited ... Applicant
In the matter between
Docfliq Private Limited ... Plaintiff
Vs.
Mankind Pharma Limited ... Defendant

Dr. Birendra Saraf, Senior Advocate a/w. Mr. Anshul Saurastri, Mr. Yatin Khochare, Mr. Minesh Andharia, Mr. Jay Shah and Mr. Hardik Sampat i/b. Krishna and Saurastri Associates LLP for Applicant / Plaintiff.

Mr. Prabhu Velar for Defendant.

CORAM : MANISH PITALE, J.
DATE : OCTOBER 17, 2022

P.C. :

1. Heard Mr. Saraf, learned senior counsel appearing for the plaintiff – applicant.

2. It is submitted that the defendant has been served and an affidavit of service is handed over, which is taken on record.

3. Mr. Prabhu, learned counsel has appeared on behalf of the defendant, stating that he has instructions to appear for the defendant. He seeks adjournment to file reply to the present application.

4. Learned senior counsel appearing for the plaintiff submits that in the meanwhile, an assurance ought to be given by the defendant that it would not upload any content on OTT Platform, which bears a deceptively similar name to that of the plaintiff, since at least as on today, no content has been uploaded.

5. Learned counsel for the defendant, on instructions, makes a

statement that till the next date of listing, no content of the defendant will be uploaded on the OTT Platform.

6. List this application for further consideration on 22.11.2022.
7. The defendant may file its reply within three weeks from today.
8. Rejoinder affidavit, if any, shall be filed before the next date of listing.

(MANISH PITALE, J.)

Minal Parab