

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

**INTERIM APPLICATION (L) NO. 192 OF 2023
IN
COMMERCIAL IP SUIT NO. 416 OF 2022**

Mankind Pharma Ltd. ... Applicant/Orig. Defendant

In the matter between

Docfliq Pvt. Ltd. ... Orig. Plaintiff

Versus

Mankind Pharma Ltd. ... Orig. Defendant

**WITH
INTERIM APPLICATION (L) NO. 22321 OF 2022
IN
COMMERCIAL IP SUIT NO. 416 OF 2022**

**WITH
INTERIM APPLICATION (L) NO. 36616 OF 2022
IN
COMMERCIAL IP SUIT NO. 416 OF 2022**

Mr. Sharan Jagtiani, Senior Advocate a/w Mr. Rashmin Kahndekar, Mr. Yatin Khochare, Mr. Anshul Saurastri, Ms. Surabhi Agrawal, Mr. Jay Shah and Mr. Hardik Sampat i/b Krishna & Saurastri Associates LLP for the Plaintiff.

Mr. Ravi Kadam, Senior Advocate a/w Mr. Hiren Kamod, Mr. Rohan Kadam, Mr. Nishad Nadkarni, Mr. Ankur Sangal, Mr. Aasif Navodia, Mr. Ankit Arvind, Ms. Khushboo Jhunjunwala and Mr. Kiratraj Sadana i/b Khaitan & Co. for the Defendant.

CORAM : R.I. CHAGLA, J.

DATED : 28th JULY, 2023.

ORDER :

1 By this Interim Application the Applicant/Original Defendant is seeking condonation of delay of 88/38 days beyond the statutory period of 30 days from the service of summons, in filing of written statement and take the written statement of the Defendant on record.

2 The writ of summons alongwith the Plaint was served on 01.09.2023. There is dispute regarding the exhibits to the Plaint which was served alongwith the writ of summons but in view of Defendant not objecting to the relief sought for in the Interim Application by keeping their rights and contentions open, it is not necessary for this Court to go into the dispute.

3 Considering that the relief sought for is not been objected to, the following order is passed :

- i) The delay of 88/38 days in filing the written statement is condoned.
- ii) Registry shall accept the written statement.

iii) Interim Application is accordingly disposed of.

4 Interim Application (L) Nos. 22321 of 2022 and 36616 of 2022 in Commercial IP Suit No.416 of 2022 placed on 29.08.2023 first at 2.30 p.m.

(R.I. CHAGLA, J.)