

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
NOTICE OF MOTION NO. 2161 OF 2018
IN
COMIP NO. 249 OF 2015

Ultratech Cement Limited & Anr. ... Plaintiffs

Versus

Jai Shree Krishna Cement ... Defendant

Mr.Amit Jamsandekar a/w. Mrs. Alka Parelkar, Ms.Archita Gharat i/b. V.A. Associates for the Plaintiffs.

Mr.B.N.Poojari a/w. Mr.Sristi Poojari i/b. Asian Patent Law for Mr.Anand Kumar Agrawal - Printer.

Mr.Anand Kumar Agrawal - Printer present in person.

CORAM : S.J. KATHAWALLA, J.
DATED : 19th NOVEMBER, 2018

P.C.:

1. Mr.Anand Kumar Agrawal - Printer, who is printing the cement bags, is present in Court. He is directed to file his Affidavit on 3rd December, 2018 disclosing the names of the entities / manufacturers for whom he is printing the cement bags and at whose instance he is printing the cement bags. He shall in his Affidavit set out details of his dealings with the Defendants and deal with the allegations made by the Defendants qua purchase of cement bags from him.

2. In the meantime, there shall be ad-interim relief in terms of prayer Clause (g) of the above Notice of Motion, which is reproduced hereunder :

"(g) The Defendant, its Directors, its servants and agents subordinates, representatives, stockiest, dealers, distributors and all other persons claiming through or under it or acting in concert with them be restrained from taking any orders or otherwise dealing directly or indirectly with the impugned mark being Exhibits-B1 and B2 to the Affidavit in support of the Notice of Motion so as to infringe the Plaintiff registered well-known trademarks "Ultra Tech".

3. Stand over to 3rd December, 2018.

(S.J.KATHAWALLA, J.)