

rajshree

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

COMMERCIAL MISCELLANEOUS PETITION (L) NO.34626 OF 2023

Varun Atulya Mafatlal] .. Petitioner
vs.
Vallabh Chandak & Ors.] .. Respondents

Mr.Abhineet Sharma i/b KR Parekh & CO. for the Petitioner.

Mr.Priyank Kapadia a/w Amit Jajoo, Vedant Chhaged and Siddhant Trivedi i/b IndusLaw for Respondent No.1.

Mr.Pranav Nair i/b Nikhil Rungta a/w Devakinandan Singh for Respondent No.2.

CORAM : BHARATI DANGRE, J

DATE : 31st January, 2024.

P.C.

1] At the outset, the learned counsel for the Petitioner has circulated draft amendment for effecting correction in the cause title as well as for correcting an inadvertent mistake which has occurred in Para 2 of the Petition.

Since the proceedings are at pre-admission stage, amendment is granted.

Necessary amendment in terms of draft amendment is permitted to be carried out within a period of 3 days from today.

Reverification is dispensed with.

Amended copy of the petition shall be served upon the other side.

2] The present proceedings being filed under Section 57 of the Trademarks Act, seek rectification in the Trademark registered by expending/cancelling the entries relating to subsequent proprietorship of Respondents.

Respondent Nos.1 and 2 are represented through the learned counsel Mr. Priyank Kapadia and Mr. Pranav Nair respectively, who seek time to file response to the Petition.

3] I deem it appropriate to grant four weeks time to enable them to file reply.

Rejoinder, if any, is permitted to be filed, within a period of one week thereafter.

Registrar of Trademarks is impleaded as Respondent NO.3. Hence, issue notice to Respondent NO.3 by making the same returnable on 18.03.2024. Hamdast granted.

The notice shall be served by registered post, pre-paid for acknowledgment or by fax, speed-post or Courier with acknowledgment and also through personal service, including service via electronic mail.

[BHARATI DANGRE, J]