

OIPD-4

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
(Intellectual Property Rights Division)

IA NO. GA-COM/1/2025
In IP-COM/37/2025

ITC LIMITED
Vs
SHRI BAIDYANATH AGRO PROCESSORS
PRIVATE LIMITED AND ORS

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 10th November, 2025

Appearance:

Mr. S.N. Mookherjee, Sr. Adv.

Mr. Ranjan Bachawat, Sr. Adv.

Mr. Ratnanko Banerji, Sr. Adv.

Mr. Sarthi Dasgupta, Adv.

Mr. Paritosh Sinha, Adv.

Mr. K. K. Pandey, Adv.

Mr. Manosij Mukherji, Adv.

Mr. Bhavesh Garodia, Adv.

Mr. Yash Singhi, Adv.

Mr. Dipro Dawn, Adv.

Mr. Teesham Das, Adv.

Ms. Sayani De, Adv.

Ms. Mallika Bothra, Adv.

Mr. Viraj Gupta, Adv.

Mr. Jishnu Chowdhury, Sr. Adv.

Mr. Soumya Roy Chowdhury, Adv.

Ms. Sapna Choubey, Adv.

Mr. Arnab Sardar, Adv.

Ms. Sreeja Mukherjee, Adv.

...for the respondent no. 1 to 5

Mr. Prakash Chand Agarwal, Adv.

Mr. Chunky Agarwal, Adv.

Mr. Akshay Kumar Jain Sukhani, Adv.

...for the defendant no 24

The Court:- Two separate affidavits filed on behalf of the respondent no. 24
be kept with the records.

Liberty is granted to the petitioner to file the Affidavit-in-Reply within two
weeks from date both to the Affidavit-in-Opposition and the Reply to the
Supplementary Affidavit.

As a peremptory direction, the time to file the Affidavit-in-Opposition in GA-COM/1/2025 stands extended by two week from date. Reply, if any, one week thereafter.

As prayed for by Mr. Chowdhury, Senior Advocate, the time to file the Affidavit-in-Opposition is extended by two weeks from date. Reply thereto, if any, be filed by one week thereafter.

Mr. Chowdhury also submits that the respondent nos. 1 to 5 are selling cigarettes under the brand names "SUPER POWER", "YES SIR", "POWER – 10" and "B-10" which bear no similarity of any kind whatsoever to the cigarettes which form the subject matter in this suit.

Liberty is granted to the petitioner to cause service by way of courier to all the remaining respondents who have not been served till date.

Affidavits of Service filed by the petitioner be kept with the records.

Affidavit of Compliance filed by the petitioner be also kept with the records.

Insofar as the question of leave under Clause 14 is concerned, in view of the submissions made on behalf of the parties and the fair stand taken by the respondents, leave under Clause 14 stands granted.

The interim order stands extended till 15 December, 2025.

Let this matter appear on 11 December, 2025.

(RAVI KRISHAN KAPUR, J.)