

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

IP-COM/37/2025
IA NO: GA-COM/1/2025

ITC LIMITED
VS
SHRI BAIDYANATH AGRO PROCESSORS PRIVATE LIMITED AND ORS.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 15th December, 2025

Appearance:
Mr. Ranjan Bachawat, Sr. Adv.
Mr. Paritosh Sinha, Adv.
Mr. K.K. Pandey, Adv.
Mr. Manosij Mukherjee, Adv.
Mr. Souradeep Banerjee, Adv.
Ms. Sayani De, Adv.
...for the plaintiff.

Mr. Soumya Roy Chowdhury, Adv.
Ms. Sapna Choubey, Adv.
Mr. Arnab Sardar, Adv.
Ms. Sreeja Mukherjee, Adv.
...for the defendants.

The Court: It is submitted on behalf of the plaintiff that there is an inadvertent typographical omission in the plaint inasmuch as though there are pleadings seeking leave under Order II Rule 2 of the Code of Civil Procedure, 1908, the formal prayer has been omitted in the prayer portion of the plaint. In the absence of the formal prayer, the Department is not giving effect to the order dated 30 July, 2025.

By consent of the parties, the plaint is informally amended to include the prayer, i.e., leave under Order II Rule 2 of the Code of Civil Procedure, 1908.

The cause-title also stands amended to record that the defendant no.5 is residing outside the aforesaid jurisdiction of this Hon'ble Court.

The Department is directed to act accordingly and cause such informal prayers to the plaint correction.

Re.: GA-COM/1/2025

The interim order dated 5 August, 2025 stands extended till 15 January, 2026.

The time to file the Affidavit-in-Opposition by the defendant nos.1 to 5 stands peremptorily extended till 18 December, 2025.

The Affidavit-in-Reply filed on behalf of the plaintiff be kept with the records.

Let this matter appear on 22 December, 2025.

(RAVI KRISHAN KAPUR, J.)