

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO. 189 OF 2015
IN
SUIT (L) NO. 849 OF 2015**

Ultratech Cement Limited & Anr.	...Plaintiffs
<i>Versus</i>	
Ultratech Solar Technologies Pvt. Ltd. & Anr.	...Defendants

**Dr. V. Tulzapurkar, Senior Advocate, with Mrs. Vengurlekar, i/b
M/s. V.A. Associates, for the Plaintiffs.**

**CORAM: G.S. PATEL, J
DATED: 28th September 2015**

PC:-

1. The Affidavit of Service tendered is taken on file.
2. The Petition is for leave under Clause XIV of the Letters Patent to combine a cause of action in passing of with the cause of action in trademark infringement.
3. The Plaintiffs/Petitioners have set out that while this Court has jurisdiction in view of Section 134 of the Trade Marks Act, 1999, leave is required in respect of the cause of action in passing of.

The Respondents/Defendants carry on business outside Mumbai. It is for this reason that leave is required. This is also necessary to prevent multiplicity of proceedings.

4. The Petition is made absolute in terms of prayer clause (a).

(G. S. PATEL, J.)

CERTIFICATE

“Certified to be a true and correct copy of the original signed Judgment/Order.”