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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

***CIVIL APPLICATION NO.47 OF 2017
IN
LETTERS PATENT APPEAL NO.8 OF 2010
IN
WRIT PETITION NO.1003 OF 1996***

Pfizer Ltd.

..Applicant.

IN THE MATTER BETWEEN

Parke Davis (India) Ltd.
V/s.

..Appellant.

Suresh R. Kandu & Ors.

..Respondents.

Mr.Ajit Kapadia with Mr.Pratik Salgaonkar i/b. M/s. AAT Legal & Co. for
the Applicant.

Mrs.Anjali P. Purav i/b. Gayatri Singh for Respondent Nos.1 & 2.

***CORAM: R.M.SAVANT AND
SARANG V. KOTWAL, JJ.***

DATE : NOVEMBER 14, 2017

PC.:-

The above civil application has been filed seeking amendment in the cause title of the LPA as also to add further grounds in the grounds which are already existing in the memo of the LPA. The amendment in the cause title is necessitated in view of the fact that the

erstwhile Parke Davis (India) Ltd. has been taken over by Pfizer Ltd. The two grounds of which incorporation is sought are mentioned in the Schedule II annexed to the civil application.

2. Learned counsel appearing on behalf of Respondent Nos.1 and 2 opposes the incorporation of the grounds in the memo of appeal. In our view, the amendment to the cause title requires to be allowed in view of the subsequent events. In so far as the additional grounds of the appeal are concerned, the same can be allowed without prejudice to the rights and contentions of the parties. The civil application is accordingly allowed and made absolute in terms of prayer clause (a).

3. It is clarified that the incorporation of the two additional grounds is without prejudice to the rights and contentions of the parties. The civil application is accordingly disposed of. Amendment to be carried out within four weeks from today.

(SARANG V. KOTWAL, J.)

(R.M.SAVANT, J.)