

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
COMMERCIAL CHAMBER SUMMONS NO.91 OF 2017
IN
COMMERCIAL IP SUIT NO.534 OF 2016**

Hamilton Housewares Pvt & Anr ..Plaintiffs
Vs.
Yogi Products ..Defendant

WITH
COMMERCIAL NOTICE OF MOTION NO.292 OF 2016
WITH
COMMERCIAL CHAMBER SUMMONS NO.124 OF 2017
IN
COMMERCIAL IP SUIT NO.534 OF 2016

Mr. Rohan Savant I/b Ms Suvarna Joshi for Plaintiffs in CHSCD/124/2017
None for Defendant/Applicant in CHSCD/91/2017

**CORAM : K.R.SHRIRAM, J.
DATE : 3rd JUNE 2019**

P.C.:

CHAMBER SUMMONS NO.91 OF 2017

1 None for applicant, chamber summons dismissed.

CHAMBER SUMMONS NO.124 OF 2017

2 This chamber summons is for leave to amend the plaint. Though served no reply is filed. Nobody is present for defendant. In fact in the order dated 12th June 2017, this chamber summons was directed to be listed for hearing and final disposal on 3rd July 2017 and pleadings was to be completed within one week from 12th June 2017. Mr. Savant states that no affidavit in reply has been filed. I am also unable to locate any reply in

the records and proceedings.

3 In the circumstances, chamber summons allowed in terms of prayer clause (a) except bracketed portion in redink as per the schedule annexed to the chamber summons. Plaintiff to be amended and amended plaintiff to be served within two weeks from today.

4 Should defendant wish to file a further written statement, the same to be filed and copy served within two weeks of receiving the amended plaintiff. The rights and contentions of defendant to even raise the issue of jurisdiction, are kept open.

5 Chamber summons accordingly disposed.

6 Suit be listed for directions on 12th July 2019.

(K.R. SHRIRAM, J.)