

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
COMMERCIAL CHAMBER SUMMONS NO.149 OF 2017
IN
COMMERCIAL IP SUIT NO.139 OF 2014**

Ultra Distribution Pvt Ltd ..Plaintiff
Vs.
Saregama India Ltd. & Ors ..Defendants

Mr. Nitesh Menon I/b Dua Associates for AOR for Plaintiff
Ms Aastha Arora I/b Khaitan and Co. for Defendant No.1

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

P.C.:

1 This chamber summons is for leave to amend the plaint in view of change of name of plaintiff. A copy of the certificate of incorporation pursuant to change of name issued on 13th February 2015, is also annexed to the chamber summons.

2 In view thereof, for reasons mentioned in the affidavit in support, chamber summons allowed in terms of prayer clause (a) except bracketed portion. Plaint to be amended and amended plaint to be served on defendants within three weeks from today.

3 Chamber summons accordingly disposed.

4 Ms Arora for defendant no.1 states that writ of summons has been served on defendant no.1 and written statement has also been filed by defendant no.1. Defendant no.1 therefore, to file further written statement

within two weeks of receiving the copy of the amended plaint. So far as defendant nos.2 to 4 are concerned, Mr. Menon is unable to state whether defendant nos.2 to 4 have been served the writ of summons. If the writ of summons has been served, defendant nos.2 to 4 shall file written statement within 30 days of receiving a copy of the plaint as amended. If writ of summons has not been served, then suit as against defendant nos.2 to 4 will stand dismissed without further reference to the court.

5 Suit be listed on 26th July 2019 for directions.

(K.R. SHRIRAM, J.)