

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY AND ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL NOTICE OF MOTION NO.81 OF 2015  
IN  
COMMERCIAL IP SUIT NO.294 OF 2015**

Siddhi Vinayak Knots and Prints Pvt. Ltd. & Anr. ....Applicants/Plaintiffs

Vs.

Kshatriya Fashion

....Defendant

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Mr. B.V. Mahadik a/w. Ms. Priyanka Patil for applicants/plaintiffs.  
None for defendant.

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**CORAM : K.R.SHRIRAM, J.  
DATE : 11<sup>th</sup> JUNE 2019**

**P.C.:**

1           Mr. Mahadik, counsel for plaintiffs states that defendant though served has not been appearing and an affidavit of service was also taken on file when the Court heard the application for ad-interim relief. Mr. Mahadik states that the order dated 10<sup>th</sup>/16<sup>th</sup> September 2015 be confirmed as order in the notice of motion and the notice of motion be disposed.

2           Defendant has not entered appearance nor filed any reply. Therefore, the order dated 10<sup>th</sup>/16<sup>th</sup> September 2015 is confirmed as order in the notice of motion and notice of motion accordingly stands disposed.

3           There is an affidavit of service of one R.J. Tiwari, Sheriff's Bailiff affirmed on 1<sup>st</sup> October 2016 in which it is stated that the packet containing the writ of summons has come back undelivered with the

endorsement "No Pin Code Mentioned on Packet".

4           Therefore, plaintiffs are directed to reserve the writ of summons upon defendant and registry is directed to extend the returnable date to 31<sup>st</sup> July 2019. If the writ of summons is not served and affidavit of service is not filed by 29<sup>th</sup> June 2019, the suit will stand dismissed without further reference to this Court.

**(K.R. SHRIRAM, J.)**