

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
COMMERCIAL NOTICE OF MOTION NO.271 OF 2016
IN
COMMERCIAL IP SUIT NO.209 OF 2015**

Siddhi Vinayak Knots & Prints

Pvt Ltd. & Anr

Vs.

Flipkart.Com & Ors

..Plaintiffs/Applicants

..Defendants

Mr. Bhushan Mahadik for Plaintiff/Applicant

None for Defendant

CORAM : K.R.SHRIRAM, J.

DATE : 18th JUNE 2019

P.C.:

1 Mr. Mahadik seeks leave to strike off defendant nos.1 to 3. Leave granted. Amendment to the plaint, notice of motion etc., to strike of defendant nos.1 to 3, is granted. Amendment to be carried out within two weeks from today.

2 Mr. Mahadik states that defendant nos.4 and 5 who will be now defendant nos.1 and 2 have not been served with the writ of summons because the packet sent to them has come back with the endorsement "left". Mr. Mahadik seeks two weeks time to serve defendants by substituted service. I have also seen the affidavit of one Nandadeep Sawant affirmed on 24th March 2017, in which it is stated that the packets have been come back with the endorsement "left".

3 In view thereof, leave to serve defendants by substituted service granted. Notice to be given in Free Press Journal (English) and Navshakti (Marathi) both Mumbai edition and in Dainik Bhaskar (Hindi language), New Delhi Edition, within two weeks from today. Writ of summons be made returnable on 14th August 2019. Suit be listed for directions on 16th August 2019.

4 Mr. Mahadik seeks leave to withdraw the notice of motion with liberty to take out fresh, once the address of defendant nos.4 and 5 (now defendant nos.1 and 2) is obtained.

5 Notice of motion dismissed as withdrawn with liberty as prayed for.

(K.R. SHRIRAM, J.)