

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

**COMMERCIAL NOTICE OF MOTION NO.273 OF 2016
IN
COMMERCIAL IP SUIT NO.213 OF 2015**

Sebastian AndradeApplicant/Plaintiff

Vs.

Expedia INC and Ors.Defendants

Mr. Deepak Lad for applicant/plaintiff.

Ms. Kathleen Lobo a/w. Ms. Aastha Arora i/b. Khaitan and Company for
defendant nos.1,2 and 4.

CORAM : K.R.SHRIRAM, J.

DATE : 11th JUNE 2019

P.C.:

1 Both counsel jointly state that the ad-interim order passed on
30th October 2015 be confirmed as order in the notice of motion and notice
of motion be disposed.

2 Therefore, the order dated 30th October 2015 is confirmed as
order in the notice of motion and notice of motion accordingly stands
disposed.

3 Mr. Lad, counsel for plaintiff states that plaintiff does not wish
to prosecute the suit against defendant no.3 since defendant no.3 has left
defendant no.1 organization.

4 Accordingly defendant no.3 be dropped.

5 Plaintiff to amend the cause title and serve the amended cause title (not the entire plaint) upon the advocate for defendant nos.1,2 and 4 within one week from today.

6 Ms. Lobo states that the surviving defendants have filed written statement.

7 On or before 21st June 2019 parties shall file their respective affidavit of documents and serve a copy thereof upon the other side, failing which parties will not be permitted to rely on any document, copy whereof is not annexed to the plaint and/or written statement and mentioned in the list of documents annexed to the plaint and/or written statement. This will not, however, prevent a party from confronting a witness of another party with any document.

8 By 29th June 2019 inspection to be completed. If inspection is not given, such party will not be permitted to rely on such document. By 5th July 2019 statement of admission and denial with reasons for denial to be exchanged. If the statement of admission and denial is not given, parties shall be deemed to have admitted the existence of all the documents of the other side.

9 Suit be listed for issues on 8th July 2019 on which date parties shall come with agreed draft issues and a separate list of issues on which

they are unable to agree. On the next date, if parties do not come with draft issues, they are put to notice that parties will be put to terms.

(K.R. SHRIRAM, J.)