

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION (L) NO.2273 OF 2019  
IN  
COMMERCIAL IP SUIT (L) NO.960 OF 2019**

Avanti Finance Private Limited      ...      Plaintiff/Applicant  
Versus  
Avanti Finance Limited  
And Another      ...      Defendants

.....

Mr. Vikramaditya Singh a/w Mr. Pulkitesh Dutt Tiwari i/b Mr. Akash  
Menon for the Applicant/Plaintiff.  
None for the Defendants.      .....

**CORAM : S.C. GUPTE, J.**

**DATE : 11 FEBRUARY 2020**

**P.C. :**

.      This Notice of Motion has been taken out in a commercial IP suit complaining of infringement of registered trade mark and passing off of goods and services. By an ad-interim order dated 26 November 2019, ad-interim relief in terms of payer clause -(a) was granted to the Plaintiff. The order, along with the notice of the application, was directed to be served by the Plaintiff on the Defendants. Since the Plaintiff could not serve papers and proceedings on the Defendants by personal service or by RPAD, an order for substituted service was sought from this court. This court, by its order dated 3 January 2020, permitted the Plaintiff to serve the proceedings by publishing a

notice in local newspapers. Accordingly, the Plaintiff has served the Defendants by publication in local newspapers and an affidavit in proof of such service, along with copies of newspapers, is tendered in court. The affidavit shows concluded service. Despite service, none appears for the Defendants to show cause. Accordingly, ad-interim order passed on 26 November 2019 is confirmed as an interim order pending the hearing and final disposal of the commercial IP suit and the Notice of Motion is disposed of accordingly.

**(S.C. GUPTE, J.)**

Rajesh V.  
Chittewan

Digitally signed  
by Rajesh V.  
Chittewan  
Date: 2020.02.17  
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