

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL NOTICE OF MOTION NO. 297 OF 2016
IN
COMMERCIAL IP SUIT NO. 544 OF 2016

V-Guard Industries LimitedApplicant

In The Matter Between

V-Guard Industries LimitedPlaintiff

V/s

Hasmukh M. Jain & Anr.Defendants

Dr. Abhinav Chandrachud a/w Ms. Nadine Kolliyl i/b W. S. Kane and Co. for Plaintiff.

Mr. Mahesh Mahadgut for Defendant.

CORAM : K.R.SHRIRAM, J.
DATED : 20th JANUARY 2021.

PC. :

1. Since the pleadings in the suit are completed Dr. Chandrachud on instructions states, without prejudice to plaintiff's rights and contentions, Notice of Motion be disposed, but a time bound schedule be fixed for the suit to proceed with. Mr. Mahadgut had no objections and he states that defendants are also keen that suit is disposed expeditiously.

In the circumstances, without prejudice to rights and contentions of the parties, Notice of Motion No.297 of 2016 is disposed.

2. On or before 3rd February, 2021 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.

3. On or before 10th February, 2021 inspection to be completed. If inspection is not given, such party will not be permitted to rely on such document.

4. On or before 17th February, 2021 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.

5. Suit be listed for issues on 24th February, 2021 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 they will be put to terms.

(K.R. SHRIRAM, J.)