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A.No.4727 of 2024 in
C.S.(Comm.Div) No.109 of 2024

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ABDUL QUDDHOSE, J

This application has been filed by the plaintiff seeking permission of this Court to implead the proposed second defendant as a party defendant in the suit.

2. According to the applicant/plaintiff, the second defendant is now infringing the applicant/plaintiff's trademark "MANJAL RESTAURANT". Notice sent to the second respondent/proposed second defendant in this application has been duly served. The name of the proposed second defendant is also printed in the cause list today.

3. Even though counter has been filed by the sole defendant opposing the impleading application, this Court is of the considered view that insofar as the impleading application is concerned, the necessary party, who has to oppose the same is the second respondent/proposed second defendant. Having chosen not to enter appearance in this

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application, this Court is of the considered view that this impleading application has to be allowed as sufficient cause has been shown by the applicant in the affidavit filed in support of this application. The objections raised by the sole defendant in its counter are rejected.

Accordingly, this application is allowed as prayed for without prejudice to the rights and contentions of the sole defendant in the main suit. The plaintiff is directed to carry out necessary amendment in terms of this order.

02.12.2024

gm

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