



WEB COPY



(TM) A No.125 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

(TM) A. No.125 of 2024

in

(T) OP (TM) No.450 of 2023

Acc Limited
Cement House, 121 Maharsi Karve Road, Mumbai-
400020.

Applicant

Vs

Acc Steel Private Limited
Teethu Bunde, Gokhare, Devanahally, Bangalore
562110. and another

Respondent(s)

For Applicant : Mr.Prabhutandon

For Respondents : Mr.P.Muthukumar for R1

Mr.K.Subburanga Bharathi for R2

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This application has been filed by the applicant / petitioner in (T)
OP (TM) No.450 of 2023 seeking leave of this Court to file additional
documents viz., the order passed by the learned X Additional District and
Sessions Judge (Dedicated Commercial Court), Bangaluru rural District,
Bengaluru in Com. O.S. No.1019 of 2021, dated 05.11.2024



(TM) A No.125 of 2024

2. The suit viz., Commercial O.S. No.1019 of 2021 has been filed for trademark infringement and passing off. The said suit was partly decreed in favour of the applicant and a permanent injunction was granted in favour of the applicant restraining the respondent No.1 from permanently using the impugned mark ACC for its goods.

3. Even though counter has not been filed by the 2nd respondent / contesting respondent, there is no necessity for the 2nd respondent to file the same in view of the fact that the applicant is only bringing on record the subsequent development viz., the passing of the judgment and decree dated 05.11.2024 passed in Com. O.S. No.1019 of 2021 by the learned X Additional District and Sessions Judge, (Dedicated commercial Court), Bangaluru rural District, Bengaluru.

4. No prejudice would be caused to the contesting respondent, if the leave sought for in this application to file the additional document referred to supra is granted by this Court. Sufficient cause has also been shown by the applicant for filing this application. Accordingly, leave as prayed for in this application is granted by this Court and the order dated 05.11.2024 passed in Com. O.S. No.1019 of 2021 by the learned X Additional District and Sessions Judge, (Dedicated commercial Court), Bangaluru rural District, Bengaluru is allowed to be received as an



(TM) A No.125 of 2024

additional document on the side of the applicant / petitioner in the main

O.P. viz., (T) OP (TM) No.450 of 2023.

5. The learned counsel for the petitioner in the main O.P. has also filed his written arguments.

6. The learned counsel appearing for the contesting respondent in the main O.P. seeks time to file her written arguments.

7. Post the matter for arguments on **18.03.2025.**

19.12.2024

vsi2