

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
(Intellectual Property Rights Division)

IP-COM/47/2024

PIDILITE INDUSTRIES LTD.
VS
RATHI ADHESIVE INDUSTRIES

Before:

The Hon'ble Justice RAVI KRISHAN KAPUR

Date: 19th March 2025

Appearance:
Mr. Subhasis Sengupta, Adv.
Mr. Abhishek Banerjee, Adv.
Mr. S. Mitra, Adv.
..for plaintiff.

The Court: This is a suit for infringement and passing off which was filed as far back as on 1999.

Despite service of the Writ of Summons, the defendant remains unrepresented.

It is submitted on behalf of the plaintiff that there is no subsisting interim order in their favour.

The suit had appeared pursuant to directions of Court.

The matter has been repeatedly adjourned on 5 February, 2025 and 3 March, 2025 respectively. The plaintiff had on previous occasions sought adjournments to take necessary steps to prepare the Judges Brief of Documents.

An adjournment is also prayed for on the pretext that the plaintiff has been unable to collect all of the necessary documents. It is submitted on behalf of the plaintiff that all the documents had been annexed to the interlocutory application and the plaintiff has applied for certified copies on 3 March, 2025.

The suit has been pending since 1999. It is a matter of regret and concern that the plaintiff has taken no worthwhile steps for hearing of the suit for more than two decades and is still not in a position to comply with the preliminary steps

far less proceeding with the suit. Despite considerable period of time and repeated extensions, the plaintiff has been unable to even prepare the Judges Brief of Documents.

In view of the casual, indolent and negligent approach of the plaintiff IP-COM/47/2024 stands dismissed for non-prosecution.

(RAVI KRISHAN KAPUR, J.)

SK.