

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION (LODGING) NO. 11919 OF 2025
IN
COMMERCIAL IP SUIT NO. 129 OF 2025

S.D. Corporation Private Limited

...Applicant

Versus

Lodha Landbuild Infrastructure Pvt. Ltd. & Anr.

...Defendants

WITH
INTERIM APPLICATION NO. 1423 OF 2025
IN
COMMERCIAL IP SUIT NO. 129 OF 2025
WITH
COMMERCIAL IP SUIT NO. 129 OF 2025

- Mr. Jacob Kadantot, for the Applicant/Plaintiff.
- Mr. Minesh Andharia a/w Mr. Anshul Saurastri, Mr. Jay Shah and Ms. Simran Anneka Lobo i/b Krishna & Saurastri Associates LLP, for Defendant No.1.

CORAM: MANISH PITALE, J.

DATE : 24th APRIL 2025.

P. C. :

1. At the outset, the learned counsel for the parties inform this Court that settlement talks are underway and that there is a possibility of settlement of disputes between the parties.

2. But, the instant application for amendment is being pressed on behalf of the applicant/plaintiff, so that appropriate pleadings are on record. The learned counsel for the applicant invited attention of this Court to the

schedule (A) and (B), which contain the proposed amendments in the plaint as well as in the interim application. This has become necessary in the light of the deed of assignment dated 02nd January 2024, executed between the applicant and S.D. Corporation Holdings Private Limited, which is proposed to be added as plaintiff No.2 in the instant case. It is brought to the notice of this Court that in pursuance of the aforesaid deed of assignment, an application has been already moved before the Trade Marks Registry for recognizing the proposed plaintiff No.2 as the proprietor of the trademark. The amendment as proposed in this application can be granted in the interest of justice.

3. At the same time, this Court is informed that in the light of recent developments the name of the defendant No.1 in the cause title needs to be changed and that the applicant/plaintiff desires to delete the defendant No.2 from the array of parties.

4. The learned counsel for the defendants also submits that the aforesaid amendment insofar as the defendants are concerned deserves to be granted.

5. In view of the above, the instant application is allowed in terms of prayer clause (a). Additionally, the applicant/plaintiff is permitted to change by way of amendment the name of defendant No.1 and the details of

registered address of the said defendant as per the draft amendment tendered in Court today. The said draft amendment shall be e-filed within one week from today. On a prayer made on behalf of the applicant/plaintiff, the defendant No.2 is permitted to be deleted from the array of defendants at the risk of the plaintiff.

6. Leave is granted to carry out the aforesaid amendments on or before 30th April 2025. Re-verification is dispensed with.

7. List the proceedings under the caption “For Settlement” on **02nd May 2025, to be included in the “Supplementary List.”**

(MANISH PITALE, J.)