

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION PETITION NO.9 OF 2025

SML Limited	...Petitioner
Versus	
ACT Agro Chem Pvt. Ltd.	...Respondent

WITH

COMMERCIAL ARBITRATION PETITION NO.846 OF 2024

SML Limited	...Petitioner
Versus	
Crop Life Science Limited	...Respondent

Mr. Mandar Soman *a/w Mrs. Lata Dhruv, Anushka Divakaran,
Charu Budhadev i/b Dhru and Co., Advocates for Petitioner.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 8, 2025

PC :

1. The fundamental grievance of the Petitioner is that by purportedly terminating the Licence Agreement in respect of a patent, the Respondent has stopped paying royalties and yet continues to use the patent and exploit it commercially.

2. Today, when the matter is called out, the Respondent seeks time stating that his attorneys are from Gujarat and they are unable to attend today. Considering that the Licence Agreement has been

terminated and the allegation is that the patented licence is being exploited without paying the royalty to the Petition, it would be appropriate to hear the matter, if necessary, even ex-parte. However, purely to accommodate the Respondent for one last time, stand over to ***April 21, 2025*** on the ***Supplementary Board***.

3. It is made clear that regardless of the presence of the Respondent, if necessary, the matter would proceed ex-parte on the next date.

4. Since the termination is said to have been effected on May 27, 2024, the calculations of income earned from the exploitation of the patent from that date till today shall be brought by the Respondent on the next date for my consideration.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]