

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

COMMERCIAL APPEAL (L) NO. 6617 OF 2025

IN

NOTICE OF MOTION NO. 1287 OF 2010

IN

COUNTER CLAIM NO. 06 OF 2010

IN

COM IP SUIT NO. 2 OF 2009

Tilaknagar Industries Ltd.

*....Appellant
(Orig.Plaintiff to the
counter claim)*

: Versus :

Herman Jansen Beverages Nederland B.V.

& Ors.

*....Respondents
(Orig. Defendants to
the counter claim)*

ALONGWITH

INTERIM APPLICATION (L) NO. 6655 OF 2025

IN

COMMERCIAL APPEAL (L.) NO. 6617 OF 2025

Tilaknagar Industries Ltd.

....Applicant

In the matter between :

Tilaknagar Industries Ltd.

*....Appellant
(Orig. Plaintiff)*

: Versus :

Herman Jansen Beverages Nederland B.V.

and Ors.

....Respondents

WITH
APPEAL NO. 66 OF 2012
IN
NOTICE OF MOTION NO. 993 OF 2009
IN
SUIT NO. 632 OF 2009

WITH
NOTICE OF MOTION NO. 445 OF 2012
WITH
NOTICE OF MOTION NO. 740 OF 2013
IN
APPEAL NO. 66 OF 2012
IN
NOTICE OF MOTION NO. 993 OF 2009
IN
SUIT NO. 632 OF 2009

WITH
CROSS OBJECTION (L.) NO. 3 OF 2012
IN
APPEAL NO. 66 OF 2012
IN
NOTICE OF MOTION NO. 993 OF 2009
IN
SUIT NO. 632 OF 2009

UTO Nederland B.V. and anr.

*....Appellants
(Original Plaintiffs)*

: Versus :

Tilaknagar Industries Ltd.

**....Cross Objectivist
Respondent/
Orig. Defendant**

**WITH
INTERIM APPLICATION NO. 2979 OF 2024
IN
APPEAL NO. 66 OF 2012
IN
NOTICE OF MOTION NO. 993 OF 2009
IN
COMMERCIAL I.P. SUIT NO. 2 OF 2009
(ORIGINALLY SUIT NO. 632 OF 2009)**

Allied Blenders and Distillers Ltd.

**....Applicant
(Intervenor/Proposed
Appellants)**

In the matter Between :

UTO Nederland B.V. and Anr.

**....Appellants
(Plaintiffs No.1 and 2)**

Versus :

Tilaknagar Industries Ltd.

**....Respondent
(Original Defendant)**

**WITH
NOTICE OF MOTION NO. 1427 OF 2014
IN
APPEAL NO. 66 OF 2012
IN
NOTICE OF MOTION NO. 993 OF 2009
IN**

SUIT NO. 632 OF 2009
AND
IN
APPEAL NO. 567 OF 2014
IN
NOTICE OF MOTION NO. 1287 OF 2010
IN
COUNTER CLAIM NO. 06 OF 2010
IN
SUIT NO. 632 OF 2009

Tilaknagar Industries Ltd.

.... *Applicant/
Respondent*

In the matter between :

Herman Jansen Beverages Nederland

B.V. and Anr.

.....*Appellants*

: *Versus :*

Tilaknagar Industries Ltd.

....*Respondent*

WITH
COMMERCIAL APPEAL (L) NO. 6622 OF 2025
WITH
INTERIM APPLICATION (L) NO. 16999 OF 2023
WITH
INTERIM APPLICATION (L) NO. 6686 OF 2025

Tilkanagar Industries Ltd.

....*Appellant*

: *Versus :*

Herman Jansen Beverages Nederland B.V.
& Ors.

....*Respondents*

Mr. Ravi Kadam, Senior Advocate and Mr. Venkatesh Dhond, Senior Advocate with Mr. H.W. Kane, Mr. Rohan Kadam, Mr. Rohan Kelkar, Mr. Ashutosh Kane, Mr. Manvendra Kane, Ms. Vedangi Soman & Mr. I.K. Paranjape i/b Mr. H.W. Kane, for the Appellant in COMAPL/6617/2025 & COMAPL/6622/2025 & for Respondent in APP/66/2012

Mr. Darius Khambatta, Senior Advocate and Mr. Ashish Kamat, Senior Advocate with Mr. Karl Tamboly, Mr. Priyank Kapadia i/b Ms. Yashvi Panchal, for Appellant in APP/66/2012 & for Respondent No. 3 in COMAPL/6617/2025 & COMAPL/6622/2025

Mr. Darius Khambatta, Senior Advocate with Mr. L.M. Jenkins with Mr. Siddhant Dalvi i/b LMJ Law Practice, for Respondents No. 1, 2 & 4 in both Appeals.

**CORAM : ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATED : 10 JUNE 2025.

P.C. :

1) Mr. Khambata, the learned Senior Advocate for the Appellant has completed his submissions. Mr. Kadam, the learned Senior Advocate for the Respondent commenced his submissions. However, on account of paucity of time, the same could not be concluded. List under the caption '*for further hearing*' tomorrow i.e. on **11 June 2025.**

Digitally
signed by
NEETA
SHAILESH
SAWANT
Date:
2025.06.10
17:30:49
+0530

[SANDEEP V. MARNE, J.]

[CHIEF JUSTICE]

NEETA
SHAILESH
SAWANT