

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

**INTERIM APPLICATION NO.4150 OF 2025
IN
COMMERCIAL IP SUIT NO.355 OF 2024**

Bisleri International Private Limited

...Plaintiff

Versus

Biplab Saha

...Defendant

*Mr. Vinod Bhagat a/w. Ms. Twisha Singh, Ms. Rashi Thakur i/b. Vinod Bhagat, for the Plaintiff.
Mr. Deepak Bhalerao, 2nd Asstt. To C.R.*

CORAM : SHARMILA U. DESHMUKH, J.

DATE : NOVEMBER 6, 2025

P. C. :

1. This is an action for infringement of trademark, copyright and passing off. By order of 10th December, 2024, this Court came to a *prima facie* finding that there is a deceptive similarity between the registered mark of the Plaintiff and the Defendant's impugned mark in respect of artwork, colour scheme, get-up, lay out, style, representation and trade dress. This Court granted ad-interim relief in respect of the infringement of trade mark and copyright. By order of 28th July, 2025 leave under clause XIV of Letters Patent was granted and ad-interim relief in respect of passing off action was granted.

2. Despite service, none appears on behalf of the Defendant.
3. The ad-interim order was duly executed by the Court Receiver and the Court Receivers Report is placed on record. Defendant is therefore aware of the passing of ad-interim relief. Despite the various opportunities given from time to time, there is no response filed by the Defendants.
4. *Prima facie* findings which has been arrived at by an order of 10th December, 2024 and 28th July, 2025 has not been displaced in absence of any reply on behalf of the Defendant. There is no reason as to why the ad-interim relief should not be confirmed as interim relief. The ad-interim relief granted by order of 10th December, 2024 and 28th July, 2025 is confirmed as interim relief.
5. The interim application stands allowed.
6. The returnable date for the writ of summons is extended by four weeks.
7. The Court Receiver's Report stands disposed of.
8. The Court Receiver is discharged without passing of accounts.
9. All costs, charges, expenses of the Court Receiver to be paid by the Plaintiff within a period of eight days from the demand raised by the office of the Court Receiver.

[SHARMILA U. DESHMUKH, J.]