



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

INTERIM APPLICATION NO. 1609 OF 2025
IN
COMMERCIAL IP SUIT NO. 206 OF 2025

Hardik Maldes Hair Castle LLP

...Plaintiff.

Versus

Rehan Khan.

...Defendant.

Jacob Kadantol for the Plaintiff.

Coram : Sharmila U. Deshmukh, J.

Date : June 17, 2025.

P. C. :

1. This is an action for infringement of trademark and passing off. By order of 25th April 2025, which was moved, after notice to the Defendant, this Court granted ad-interim relief in terms of prayer Clauses (a), (b) and (c).
2. Order of 25th February 2025 records that affidavit of service upon the Defendant was filed and no appearance was caused. Even on adjourned dates, no appearance was caused on behalf of the Defendant.
3. Despite service, none appears for the Defendant to dispute the proprietary right of the Plaintiff in the trade mark. The trade mark and its essential features have been *prima facie* held to be slavishly copied

by the Defendant and that comparison of rival marks shows that Defendant is trying to come as close as possible to the registered trade mark of Plaintiff. The Court had thus come to a *prima facie* finding which has not been displaced in the absence of any opposition by the Defendant. There is no reason as to why the ad-interim granted by this Court should not be confirmed as interim relief.

4. In the light of above, ad-interim relief granted in terms of prayer clauses (a), (b) and (c) is confirmed as interim reliefs.
5. Interim Application stands disposed of.

[Sharmila U. Deshmukh, J.]