

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

INTERIM APPLICATION NO. 4929 OF 2025

IN

COMMERCIAL MISCELLANEOUS PETITION NO. 29 OF 2022

Avon Agro Industries Pvt Ltd

...Applicant/Petitioner

Versus

Parle Products Pvt Ltd & Anr.

...Respondents

WITH

COMMERCIAL MISCELLANEOUS PETITION NO. 193 OF 2022

WITH

INTERIM APPLICATION NO. 5502 OF 2025

IN

COMMERCIAL MISCELLANEOUS PETITION NO. 35 OF 2022

Mr. Siddharth Bambha a/w Ms. Bhavya Ganatra i/b Corporate Attorneys, for the
Petitioner all Petitions and for the Applicant in IA/4929/2025.

Mr. Hiren Kamod a/w Shiwprasad Wanve, Mr. Sumedh Ruikar, Mr. Prashant
Shetty, Dr. Mohan Dewan, Mr. Aditya Chitale, Mr. Saikiran Mergu i/b RK Dewan
Legal Services, for Respondent No.1.

CORAM : ARIF S. DOCTOR, J.

DATE : 8th DECEMBER 2025

P.C.

INTERIM APPLICATION NO. 4929 OF 2025

1. The Interim Application seeks restoration of the captioned Commercial
Miscellaneous Petition which came to be dismissed for default.
2. The reply affidavit has been filed opposing the restoration.

3. Having heard learned counsel at some length Mr. Kamod, learned counsel for Respondent No.1 submitted that if the Court was inclined to restore the Petition then the same should be subject to cost.

4. Having heard learned counsel for the Petitioner and having noted the grounds taken in the Interim Application, I am satisfied that the substantive cause of justice would best be served if the Petitioner is given one more opportunity to prosecute the Petition on merits.

5. Hence, the Interim Application is allowed in terms of prayer clause (a) which reads thus:

"(a) To allow the present Interim Application and restore the captioned Commercial Miscellaneous Petition No.29 of 2022 to its file and number after setting aside the order of rejection."

6. Subject however, to payment of costs of Rs.15,000/- be paid as follows:

1] Children Aid Society, Mumbai

Bank : UCO Bank

Branch: Matunga

Account No. 02370100005612

IFSC Code: UCBA000037

2] In Defense of Animals

Bank: Bank of Baroda

Branch: Chandavarkar Road, Branch, Matunga

Account No: 04060100019102

IFSC Code: BARBOCHANDA

MICR No: 400012046\

7. The Interim Application is accordingly disposed of.

COMMERCIAL MISCELLANEOUS PETITION NO. 193 OF 2022

8. Mr. Kamod submits that, subject to formal service of notice, the reply affidavit shall be filed within a period of four weeks from today.

9. The Commercial Miscellaneous Petition is disposed of.

[ARIF S. DOCTOR, J.]