



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

INTERIM APPLICATION NO. 5873 OF 2025
IN
INTERIM APPLICATION NO. 5891 OF 2025
IN
COMMERCIAL IP SUIT NO. 537 OF 2025

Hab Pharmaceutical and Research Limited ... Applicant/Plaintiff.

Versus

Matish Healthcare Private Limited ... Respondent/Defendant.

Mr. Alankar Kirpekar a/w. Mr. Rajas Panandikar and Ayush Tiwari i/by Shekhar Bhagat and Neelaja Kirpekar for the Applicant/Plaintiff.
Mr. Deepak S. Bhalerao, 2nd Assistant to Court Receiver, present.

Coram : Sharmila U. Deshmukh, J.
Date : November 24, 2025

P.C.:

1. Interim Application No.5873 of 2025 has been preferred under Order VI Rule 17 of CPC for permission to amend the plaint, Interim Application and all other applications pending in the suit as per the schedule of draft amendments annexed at Exhibit "C" to the Interim Application.
2. Learned counsel appearing for the Applicant submits that the Defendants have been duly served. He submits that by order of 23rd July, 2024, ad-interim relief was granted in respect of infringing mark

which was identical to the Plaintiff's registered marks "TEKOMOL" and "SIGNATURE". He submits that during the execution of the ad-interim order, the Court Commissioner found additional marks i.e. "TIGAMOL" and "EKTAMOL". He submits that as the additional marks were deceptively similar to the Plaintiff's registered trade mark, the present application has been preferred for amendment of the plaint.

3. Though served, none appears on behalf of the Defendants.
4. The Plaintiff seeks to carry out the amendment for the purpose of seeking reliefs in respect of two additional marks "TIGAMOL" and "EKTAMOL" which were found during the execution of the ad-interim order dated 23rd July, 2024. The amendments seek to place subsequent marks found during execution of ad-interim order and will not change the cause of action and the nature of the suit. Considering the nature of amendment, the same are allowed. Interim Application is allowed. Amendment to be carried out within a period of two weeks.
5. List the Application on **16th December, 2025**.
6. Ad-interim relief granted earlier to continue till the next date.

[Sharmila U. Deshmukh, J.]