

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

INTERIM APPLICATION NO. 6277 OF 2025

IN

COMMERCIAL IP SUIT (L) NO.31109 OF 2023

Ltk Industries Pvt Ltd.

...Applicant

In the matter between.

Ltk Industries Pvt Ltd.

...Plaintiff

Versus

Neelam Agrawal & Ors.

...Defendants

Mr. Darius Dalal a/w Ms. Monal Trivedi, Mr. Vaibhav Khanna i/b Jehangir Gulabbhai & Bilimoria & Daruwalla, for the Applicant/Plaintiff.

Mr. Hemant Thadhani a/w Ms. Nidhi Mishra i/b Crawford Bayley & Co., for Defendant No.1 and 2.

CORAM : ARIF S. DOCTOR, J.

DATE : 19th NOVEMBER 2025

P.C.

1. Not on board. Taken on board.
2. The present Interim Application seeks restoration of the captioned Commercial IP Suit (L) No.31109 of 2023 as also the Interim Application (L) No. 31125 of 2023.
3. Heard Mr. Dalal, learned counsel for the Applicant.
4. At the outset, Mr. Thadhani, learned counsel for Defendant Nos.1 and 2 has fairly submitted that he does not wish to file any affidavit-in-reply to oppose the Interim Application and states that, in the event the Court is satisfied that sufficient cause is shown, the Interim Application may be allowed.

5. Mr. Dalal has pointed out that the suit came to be dismissed by virtue of a common order dated 4th February 2025 for failure to remove office objections within the time prescribed therein. It is the contention of the learned counsel that the suit was wrongly clubbed, since the Applicant had already complied with the requisitions and office objections on 10th June 2024. For this purpose, he has placed reliance on a printout from the website, which supports such contention. In my view, the Applicant has shown sufficient cause; clearly the matter was wrongly clubbed.

6. The Interim Application is therefore allowed in terms of prayer clauses (a), (b) and (c).

7. Insofar as prayer clause (b) is concerned, it is made clear that the registration of the Interim Application shall be effected only upon removal of office objections.

8. Interim Application is accordingly disposed of.

[ARIF S. DOCTOR, J.]