

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 6593 OF 2025
IN
COMMERCIAL IP SUIT NO. 570 OF 2025

Dr Mrs Smita Naram

...Applicant/
Plaintiff

Versus

Ayushakti Ayurvedic Hospital

...Respondent

*Mr. Anand Mohan a/w Mr. Ritik Gupta i/b Ms. Suvarna Joshi, Advocate for
the Applicant/Plaintiff.*

CORAM : SHARMILA U. DESHMUKH, J.

DATE : DECEMBER 24, 2025

P. C. :

1. At the outset, Mr. Mohan, learned counsel appearing for the Plaintiff tenders the affidavit of service evidencing service upon Defendants as well as the proposed Defendant. The same is taken on record.
2. The Interim Application has been preferred under Order VI, Rule 17 of Code of Civil Procedure, 1908 seeking amendment of the plaint, Interim Application and the Leave Petition. Mr. Mohan, learned counsel appearing for the Applicant/ Plaintiff, submits that prior to the filing of the suit, the Plaintiff's attorney had received a reply dated 14.08.2025

from the Defendant's attorney in response to the Plaintiff's cease and desist notice which indicate that the notice was sent on the instructions of the proposed Defendant No. 2. Hence, the proposed amendment is for the purpose of adding Defendant No. 2. He would further submit that subsequent to the filing of the plaint, information was received, as regards, one JSR Multispecialty Hospital LLP whose partners appears to be connected with and responsible for the management and operation of the Defendant. He submits that there are certain clerical errors which are also required to be corrected. He has taken this Court through the proposed amendment.

3. The proceedings are at pre-trial stage. By the proposed amendment, the Plaintiff seeks to correct certain clerical errors and to bring on record additional parties which came to the knowledge of the Plaintiff after filing of the suit and to carry out consequential amendments in the plaint. Considering the nature of the amendment as the same does not change the nature of the suit, the Interim Application is allowed. Amendment to be carried out in accordance with Schedule A, B and C of the plaint. Amendment to be carried out within a period of three weeks from today. Re-verification is dispensed with.

4. Stand over 21.01.2026.

[SHARMILA U. DESHMUKH, J.]