

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

INTERIM APPLICATION NO.7019 OF 2025
IN
COMMERCIAL IP SUIT NO.152 OF 20260

Bholenath Medical Stores

...Applicant
Org.Defendant No.3

IN THE MATTER BETWEEN :

T. V. Venugopal
Sole Proprietor of
M/s. Ashika Incense Inc

...Plaintiff

Versus

Attaullah Proprietorship Concern as
Adarsh Perfumery Udyog & Ors.

...Defendants

Ms. Vaishnavi Kamble for the Applicant/Org. Defendant No.3

*Mr. Atmaram Patade a/w Mr. Pranav Manjrekar, Mr. Suraj Naik,
Ms. Sharaddha Patil, Mr. Atharva Kudtarkar, Ms. Reshma Kakad i/b
Mr. Atamaram Patade for the Plaintiff*

None for the Defendant Nos.1 and 2

CORAM : SHARMILA U. DESHMUKH, J.

DATE : APRIL 23, 2026

P. C. :

1. Learned counsel appearing for Applicant/Defendant No. 3 seeks deletion on the ground that the premises of the Defendant No. 3 were not raided in execution of ad-interim order passed by this Court, and that they are not dealing with any products bearing the Plaintiff's

registered trademark and goodwill, and do not intend to do so in the future. The said submission is accepted as statement given to this Court.

2. In view of the statement made, it would be appropriate if Defendant No. 3, which is a medical shop, is deleted from the array of the parties. The Plaintiff is directed to carry out necessary amendments to delete Defendant No. 3.

3. It is made clear that if in future it is found that Defendant No. 3 is infringing any of the Plaintiff's registered trademark by retailing the impugned product, it would be open for the Plaintiff to seek impleadment of Defendant No. 3 once again.

4. Interim Application is allowed in terms of prayer clause (a) in the above terms. Amendment to be carried out within a period of four weeks. Re-verification is dispensed with.

[SHARMILA U. DESHMUKH, J.]