

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO.9193 OF 2026
IN
COMMERCIAL IP SUIT NO.128 OF 2026

Liberty Oil Mills Limited ...Applicant

IN THE MATTER BETWEEN :

Liberty Oil Mills Limited ... Plaintiff

Versus

Capital Foods Private Limited ...Defendant

Mr. Pranit Kulkarni a/w Mr. B. N. Poojari, Mr. Rahul Poojari and Ms. Nidhi Bangera i/b Asian Patent Law for the Applicant/Plaintiff

Mr. Hiren Kamod a/w Ms. Madhu Gadudia, Ms. Unnati Gambani i/b Anand & Naik for the Defendant

CORAM : SHARMILA U. DESHMUKH, J.

DATE : APRIL 9, 2026

P. C. :

1. Mr. Kamod, learned counsel appearing for the Defendant submits that the Suit has now been rendered infructuous, as the Defendant has already filed a Commercial IP Suit (Lodging) No.12640 of 2026 seeking relief against the trademark and passing off.
2. In view thereof, the Suit filed under Section 142 of the Trade Mark Act is disposed of as infructuous.
3. Interim Application does not survive and stands disposed of.

[SHARMILA U. DESHMUKH, J.]