



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

(TM) A NO. 106 OF 2025 in

(T)OP(TM) No. 141 of 2023

Abharan Jewelers Pvt Ltd
Corporation Bank Road,
UDUPI - 576101 Dist

Applicant(s)

Vs

1. Abharan Timeless Jewellery
Private Limited,
No. 192, Mahalakshmi Layout,
West of Chord Road,
Opp. ISKCON,
Bangalore - 560 086.
Amendment carried out as per
order dated 29/08/2024 in TM(A)
96/2024 in T(op)TM 141/2023

2.The Deputy Registrar of Trade
Marks
I.P. Building, Industrial Area,
G.S.T. Road, Chennai - 600032

Respondent(s)

PRAYER

Application filed under Order XIV Rule 8 of OS Rules r/w Order XI Rule 1 (10) of amended CPC to permit the Applicant/Respondent No.1 to file the documents as mentioned in the Schedule - A as additional documents.



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For Applicant(s): M/s.Sivaraman
For Mr.Arun C Mohan for R1
Respondent(s):
Mr.J.Madana Gopal Rao for
R2

ORDER

This application has been filed by the 1st respondent in the original petition for bringing on record 33 additional documents.

2. The applicant in the affidavit filed in support of the application at Paragraph No.7 has assigned the reasons as to why the applicant was not able to file these 33 documents on time.

3. The learned counsel appearing for the 1st respondent / petitioner has raised specific objections with respect to document Nos.1 to 16 on the ground that the applicant has not provided sufficient explanation as to why these documents which were available even before the filing of the petition were not produced / filed at the first instance. It was submitted that these documents are sought to be introduced in the midst of trial when the petitioner in the main petition has already been examined and cross-examined



and the case is now at the stage of examination of the applicant / 1st respondent. The learned counsel further submitted that there are certain documents which require translation since it is in Kannada and certain photocopies are sought to be marked as documents.

4. Per contra, the learned counsel for applicant by placing reliance upon the table of submissions filed has explained the requirement for filing the additional documents and the relevance of the same and also in whose power the possession and control of the document was available.

5. In the considered view of this Court, while dealing with this application, this Court must only be satisfied that sufficient reason is given by the applicant for introducing and bringing in the 33 documents, which were supposed to be filed even at the time of filing the counter. The reasons assigned by the applicant are reasonable. At the time of deciding this application, this Court will not go into the admissibility or otherwise of the document. Insofar as the relevancy, admissibility and proof of the documents, it is a matter which will be considered at the time of marking the documents. Therefore, the 1st respondent / petitioner can make their objections at



the appropriate point of time when the documents are marked, if required.

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6. In the light of the above discussion, this Court is inclined to allow this application.

08-01-2026

rka

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

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N.ANAND VENKATESH J.
rka

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