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

LD/VC/IA/1/2020
IN
IN/LD/VC/147/2020
IN
COMMERCIAL IP SUIT (L) NO. OF 2020

Parle Agro Pvt. Ltd. ...Plaintiff.

vs

Walmart India Pvt. Ltd. & Ors. ...Defendants

.....

Mr Hiren Kamod a/w Mr. Ramesh Gajaria i/b Gajaria & Co. for the
Applicant/Plaintiff.

None for Defendant No.1

Ms. Anuradha Salhotra, Mr. Sumit Wadhwa and Mr. Mukul Kochhar
for Defendant No.2.

.....

CORAM : B. P. COLABAWALLA, J.
(Through Video Conferencing)
9th JULY, 2020.

P.C. :

When this matter was called out, the learned advocate appearing on behalf of defendant No.1 stated that their counsel is in the waiting room of the virtual hearing. However, the learned counsel is unable to join.

2. The learned advocate appearing on behalf of defendant No.2 seeks a small accommodation and prays that the matter be kept on Monday.

3 Acceding to this request, the matter is stood over to 13th July, 2020. In the meanwhile, without prejudice to the rights and contentions of the defendants there shall be ad-interim injunction in terms of prayer clauses (a) and (b) which reads thus;

- “(a) that pending the hearing and final disposal of the suit, the defendants by themselves, their directors, servants, subordinates, representatives, stockists, dealers, agents and all other persons claiming through or under them be restrained by an order and injunction of this Hon’ble Court from in any manner using the impugned mark or label described in Exhibit “I” to the plaint or any other mark or label identical with or deceptively similar to the plaintiff’s Marks/labels described in Exhibits “c-1” to “C-14” to the plaint in relation to any goods falling in Class 32, so as to infringe the same;
- (b) that pending the hearing and final disposal of the suit, the defendants by themselves, their directors, owners, servants, subordinates, representatives, stockists, dealers, agents and all other persons claiming through or under them be restrained by an order and injunction of this Hon’ble Court from in any manner using the label described in Exhibit “I” to the plaint so as to infringe the copyright of the plaintiff in the original said Artistic Work described in Exhibit “A” to the plaint, by reproducing the same in any material form or publishing or using the same or any colourable imitation thereof so as to infringe the copyright of the plaintiff.”

4 It is made clear that this order has not been passed on merits and only as a pro-tem arrangement.

5. Stand over to 13th July, 2020.

(B.P.COLABAWALLA ,J.)

