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

INTERIM APPLICATION (L) NO. 34514 OF 2026
IN
COMMERCIAL IP SUIT (L) NO. 34350 OF 2026
(SUIT FOR TRADE MARK INFRINGEMENT, COPYRIGHT INFRINGEMENT AND PASSING OFF)

SNEHA NITIN CHAVAN

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Date: 2026.11.05 15:09:59 +0530

The Bombay Dyeing and Manufacturing Company Limited
A company incorporated under the Companies Act, 1866, having its registered/principal office at Neville House, J. N. Heredia Marg, Ballard Estate, Mumbai - 400001,
Maharashtra, India.

...Applicant/Ori. Plaintiff

Versus

1. M/s M.J. Home Furnishing,a partnership firm, having its address at Village Alipur Khalsa, Khotpur Road, Kohand, Karnal-132114,
Haryana, India

2. Mr. Salim,
an adult, Indian inhabitant, having his address at Nauchandi, Meerut, Uttar Pradesh - 250002, India

3. Mr. Raja Bhai,
an adult, Indian inhabitant, having his address at Gomti Nagar, Sardhana,
Meerut, Uttar Pradesh -250342, India

4. M/s. Laxmi Enterprises
an entity having its address at 5-8-54, Hindi Prachar Sabha, Nampally Station Road,
Hyderabad - 500001, Telangana, India)

5. M/s. Avinash & Co.
an entity, having its address at Shop No. 34, Khurshid Market, Sadar Bazar, Delhi-110006, India

6. Rajesh Wadhwani trading as M/s. D.S. Corporation
an entity having its address at Gold Coin Plaza, 1st Floor 324, Bhanwarkuan Main Road, Indore - 452001, Madhya Pradesh, India

7. Anil Agarwal trading as M/s. Roopali Goel Traders
an entity having its address at 31/23, M.G. Marg, Opposite PMG Office,)
Hazratganj, Lucknow - 226001, Uttar Pradesh, India

8. Ashok Kumar (unknown person/s) having unknown addresses) ...Respondents/ Ori. Defendants

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Mr. Hiren Kamod a/w Mr. Hemant Thadhani, Mr. Jay Zaveri, Ms. Rooppreet Dhamiji, Mr. Ujjwal Batra, Ms. Nidhi Mishra i/b Crawford Bayley & Co. for the Applicant/Ori Plaintiff.

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CORAM : M.M. SATHAYE, J.
DATE : 4th NOVEMBER, 2026

P.C. :

1. Taken up as an alternate Bench, due to 'Not Before Me' order dated 22.10.2026 by passed by another Bench.

2. Heard learned counsel for the Applicant / Plaintiff.

3. This is an action for infringement of copyright, infringement of trade mark, and passing off. Along with the Suit, the Plaintiff has also filed this application seeking *ex-parte* ad-interim reliefs.

4. Learned counsel for the Plaintiff submits that Defendant Nos. 1 to

7 are engaged in the business of manufacture, storage, distribution, supply and sale of counterfeit goods bearing the Plaintiff's BOMBAY DYEING trade marks without its authorization/approval. Defendant No. 8 in the present matter are unknown persons/entities impleaded as 'Ashok Kumar' – the indian version of 'John Doe'.

5. He points out paragraph 71 of the Plaint and paragraph 37 of the Interim Application and submits that this is a case where the Plaintiff is entitled for the ex-parte ad-interim relief in terms of prayer clause (a), (b) and (c) of the Interim Application without issuing notice to the Defendants.

6. The main contentions raised by the Applicant/Plaintiff are as follows:

i. That the Plaintiff is a public limited company and is, *inter alia*, engaged in a well-established textile business for several decades as a distributor of a wide range of textile products, including bed and bath linen **("said goods")** under the Plaintiff's registered trade marks Bombay Dyeing, , , , , , BOMBAY DYEING SANTINO PREMIUM, BOMBAY DYEING CORAL VINE.

ii. That the Plaintiff is the registered proprietor of the trademark

BOMBAY DYEING (word) along with several trade marks, *inter alia*, consisting of and/or containing the trade mark **BOMBAY DYEING** as a leading, essential, and prominent feature thereof, such as 

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BOMBAY DYEING / 

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, and 

("**Bombay Dyeing logos**"), in Classes 20, 21, 23, 24, 25, 27 and 35 (hereinafter collectively referred to as the "**said trade marks**" or "**BOMBAY DYEING trade marks**") in India.

iii. That the Plaintiff is the first owner of the copyright subsisting in the original and distinctive artistic works comprising the Bombay Dyeing logos i.e. 

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BOMBAY DYEING, 

, 

, and 

("said artistic works") logos and enjoys all rights as the owner, including the exclusive right to reproduce, publish, communicate to the public, and otherwise exploit the work in any manner and medium whatsoever.

iv. That the earliest registration for the trade mark BOMBAY DYEING dates back to 1978 in India. That the first use of the mark BOMBAY DYEING in India goes back to 1879. That the trade mark BOMBAY DYEING, stylised representations thereof

and BOMBAY DYEING containing trade marks, are registered. That the details of the Plaintiff's registrations/application for its BOMBAY DYEING trade marks in India are set out in the table contained in Paragraph No. 9 and the relevant extracts from the online records of the (Indian) Trade Marks Registry in respect of the trade marks of the Plaintiff are at Exhibits C1 to C50 of the Plaint.

v. That since the year 1879, the Applicant/Plaintiff has been openly, continuously and extensively using the distinctive trade mark BOMBAY DYEING in respect of its said goods. That the Applicant/Plaintiff operates through a pan-India network of more than 350 exclusive brand outlets and over 2,000 multi-brand retail outlets, and exports its products to several international markets.

vi. That sales in respect of the said goods bearing Plaintiff's said trade marks for the years 2020-21, 2021-22, 2022-23, 2023-24, 2024-25 and 2025-26 are cumulatively INR 11,235 crores and marketing expenses in respect of the said goods bearing Plaintiff's said trade marks for the years 2020-21, 2021-22, 2022-23, 2023-24, 2024-25 and 2025-26 are cumulatively INR 33.68 crores.

vii. It is contended in the plaint that, on 23 December 2025, the Plaintiff's marketing team discovered an exhibition at Deloitte – iThink Lodha, Thane, Off, Eastern Express Hwy, Chirak Nagar, Thane West, Thane, Maharashtra 400601 where counterfeit goods bearing the Plaintiff's marks were being displayed. A complaint was made to Kapurbawadi Police Station and counterfeit bedsheets were seized. As and by way

of further investigation and information received therein, on 25 December 2025, the police conducted a raid at the Nashik International Trade Fair & Furniture & Home Decor Expo and seized 258 counterfeit bedsheets valued at approximately Rs.9,02,742/-. Some of the seized bedsheets bore the selvage marking "WHITE ANGEL BY MJ HOME". The relevant FIR and photographs are annexed.

viii. Following the enforcement action undertaken by the Kapurbawadi Police Station, Thane, on 23 December 2025, the Plaintiff continued to receive information regarding the sale and distribution of counterfeit bedsheets bearing the Plaintiff's BOMBAY DYEING trade marks at various locations across India from January to April 2026. Acting upon such information, the Plaintiff lodged complaints before the respective local police stations, pursuant to which the local police authorities conducted raids, searches and seizures, resulting in the recovery of counterfeit goods bearing the Plaintiff's BOMBAY DYEING trade marks. A recurring feature across these instances was the presence of the distinctive selvage marking "WHITE ANGEL BY MJ HOME", which was found on counterfeit bedsheets seized at Thane and Nashik and subsequently identified in connection with the counterfeit products reported at Coimbatore, Hyderabad, Bengaluru and Vashi, Navi Mumbai. In particular, at the Nashik International Trade Fair & Furniture & Home Decor Expo, the local police seized 258 counterfeit bedsheets valued at approximately Rs. 9,02,742/-; at Coimbatore, a customer reported that a bedsheet purchased at the Furniture Expo and represented as a genuine BOMBAY DYEING product bore the marking

"WHITE ANGEL BY MJ HOME"; at Swadesh Heritage Lodge, Hyderabad, the local police recovered approximately 150 counterfeit BOMBAY DYEING bedsheets and packaging material, including a bedsheet bearing the said marking; in Chikpet Market, Bengaluru, the local police seized approximately 80 to 100 counterfeit bedsheets, some bearing the same marking; and at the CIDCO Exhibition Centre, Vashi, Navi Mumbai, the local police seized approximately 75 counterfeit bedsheets, again bearing the said marking on certain pieces. The repeated appearance of "WHITE ANGEL BY MJ HOME" across these geographically distinct locations, coupled with the successive police raids and seizures, demonstrates that the counterfeiting activities were not isolated incidents confined to a single venue, but indicated a continuing and widespread source and supply network dealing in counterfeit goods bearing the Plaintiff's BOMBAY DYEING trade marks.

ix. Pursuant to the aforesaid instances, between April 2026 to August 2026, the Plaintiff engaged an investigator to conduct further investigations from, into the source and distribution of the counterfeit products. The investigations revealed instances of counterfeit BOMBAY DYEING bedsheets and towels being manufactured, stocked, supplied and sold through what appears to be a network comprising manufacturing units, wholesalers, concealed godowns and suppliers operating on an order-based model, under different trade names and from different locations. These contentions as set out in the Plaint, form the basis of the Plaintiff's apprehension that the infringing activities may extend beyond isolated instances of

sale and involve multiple persons and locations within the supply chain. Investigation reports dated July 13 2026, July 21 2026, July 28 2026, August 10 2026, August 18 2026 and August 31 2026 confirming the infringing activities carried out by Defendant No. 1 to 7, are marked as Exhibits V to AA and EE, to the Plaint.

7. Learned counsel for the Applicant/Plaintiff submitted that according to Plaintiff, even as of the date of filing of the present Suit, the Plaintiff continues to receive information regarding the sale and distribution of counterfeit products bearing the Plaintiff's BOMBAY DYEING trade marks by unidentified persons at various locations across the country. He has pointed out that such persons frequently conceal their identities and operate through undisclosed storage facilities and channels of supply, thereby making it difficult to ascertain their identities and trace the source of the impugned goods.

8. He submitted that the details of the comparison of product/ packaging of the Plaintiff and those being offered for sale by the Defendants are set out in tabular form in Paragraph No. 42. Also Photographs of the original products sold by the Plaintiff under the Bombay Dyeing trade marks and artistic works are attached as Exhibit D to the Plaint and Printouts of Defendants' Counterfeit Products bearing the impugned marks and impugned artistic works are attached as Exhibit GG to the Plaint.

9. The Plaintiff has also produced the original packaging of the Plaintiff's and the Defendants' products and submits that a perusal of the rival packaging demonstrates, *prima facie*, shows that the

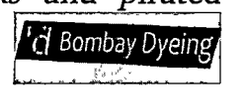
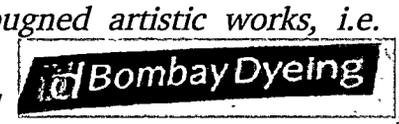
Defendants have copied the Plaintiff's BOMBAY DYEING trade marks, including by affixing counterfeit labels, tags and brand identifiers bearing marks identical with and/or deceptively similar to the Plaintiff's registered trade marks, with a view to misrepresenting the origin of the goods and inducing consumers to believe that the impugned products originate from or are authorised by the Plaintiff. He submitted that the Defendants have also copied essential and memorable features of the Plaintiff's artistic works, packaging and trade dress, including the colour scheme, layout, style and get-up. He submitted that the impugned use of the marks, labels and artwork, therefore, *prima facie* gives rise to a case of trade mark infringement, copyright infringement and passing off, as pleaded in the Plaint. He submitted that the rival goods are sold through overlapping trade channels and are likely to reach the same class of consumers, thereby increasing the likelihood of confusion and deception. He submitted that the unauthorised use of the Plaintiff's trade marks and the imitation of its packaging and trade dress also enable the Defendants to take unfair advantage of the Plaintiff's goodwill and reputation. In view of the material placed, learned counsel for the Plaintiff submits that a strong *prima facie* case is made out by the Plaintiffs for the grant of ad-interim relief without notice to the Defendants. The balance of convenience is in favour of the Plaintiffs, and unless the reliefs as prayed for are granted, the Plaintiffs are likely to suffer irreparable harm and injury that cannot be adequately compensated in monetary terms.

10. Applicant / Plaintiff has relied upon similar orders dated 19.11.2020, 10.03.2021, 21.12.2021, 20.07.2022, 10.10.2023, 15.12.2025 & 02.04.2026 passed by this Court.

11. Based on aforesaid submissions and various contentions raised and based on exhibits to the plaint and further based on original and counterfeit products shown to the Court, I am satisfied that the Plaintiff is entitled to *ex-parte* ad-interim relief.

12. Also in view of the averments in paragraph 71 of the Plaint and paragraph 37 of the Interim Application, I am satisfied that giving notice to the Defendants before passing the order, would defeat the very purpose of granting ad-interim relief.

13. **Accordingly, *ex parte* ad-interim injunction is granted in terms of prayer clause (a), (b) and (c) which read as under:**

> *a) pending the hearing and final disposal of this suit, the Court Receiver, High Court, Bombay, or such other fit and proper person/s as this Hon'ble Court thinks fit, be appointed Receiver/s with all powers under Order XL Rule 1 and Order XXXIX Rule 7 of the Code of Civil Procedure, 1908, to attend and search the premises along with the Plaintiff and its representatives, shops, retail outlets, offices, factories, godowns, warehouses of the Defendants and shall also visit locations of such person/s, firm/s, entity/ies in Maharashtra, Haryana, Uttar Pradesh, Delhi, Madhya Pradesh, Telangana, Karnataka and Tamil Nadu, and such other places, as may be pointed out by the representatives of Plaintiff during this search and seizure and even thereafter from time to time, till the next date of hearing and other premises wherever the infringing goods bearing the counterfeit impugned marks and pirated impugned artistic works, i.e.*  *and*  *, and any other like goods as may be found, stocked, sealed or*

are lying and to break open locks of such premises with the help of police protection (if needed), at day or at night, make an inventory, seize and take possession/custody thereof by sealing the said goods, and the Court Receiver shall hand over possession of such seized goods to the Plaintiff on superdari who would keep such inventory of seized goods at their premises under lock and key and also of all related items such as carton boxes, labels, stationery, production registers, invoices, including the electronic records, printing and packaging materials, screens, cylinders, blocks, moulds, dyes, stencils, machinery and master plates used to manufacture the counterfeit goods lying at the premises, offices or factories, manufacturing units, godowns, warehouses of the Defendants or their agents or at any other place/s and the Defendants by themselves, their servants, employees, representatives be ordered to deliver up all the aforesaid to the Court Receiver or to such other fit and proper person as Hon'ble Court thinks fit and the Court Receiver must carry out such search and seizure with local police assistance, if necessary, at no costs;

b) *that pending the hearing and final disposal of the suit the Defendants by themselves, and/or their partners and/or proprietor and/or servants and/or agents and/or officers and/or dealers and/or any other person claiming through and/or under such Defendants, be restrained by a temporary order and injunction of this Hon'ble Court from in any manner using in relation to the impugned goods the impugned marks and/or any other name and/or mark and/or logo and/or label identical and/or deceptively similar and/or inter alia containing, in any manner whatsoever, the BOMBAY DYEING trade marks, so as to infringe the Plaintiff's registered trade marks bearing nos. 3975165, 3975166, 3975167, 3975168, 3975169, 3975170, 3975171, 3975172, 4074665, 4074666, 4074671, 4074664, 4074669, 332841, 332842,*

332843, 332844, 332949, 332950, 332951, 332952, 332953, 332954, 332955, 332957, 332999, 333001, 333002, 333003, 333049, 333050, 333089, 333090, 333091, 2952230, 2952235, 2952236, 2952238, 2952242, 2952244, 332956, 333000, 4246671, 1064835, 2764251, 1261457, 1348428, 1261458, 1350837, and 1562678, being Exhibits 'C1 to 'C50' to the Plaint, or any of them;

c) *that pending the hearing and final disposal of the suit the Defendants by themselves, and/or their partners and/or proprietor and/or servants and/or agents and/or officers and/or dealers and/or any other person claiming through and/or under such Defendants, be restrained by a temporary order and injunction of this Hon'ble Court from infringing the Plaintiff's copyright in the artistic works of BOMBAY DYEING logos, i.e*



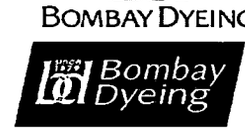
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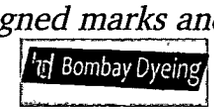


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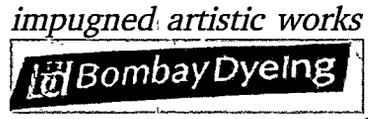
and



, being Exhibit 'D' to the Plaint by reproducing, printing, publishing, communicating to the public and/or in any other manner using the impugned marks and/or impugned artistic works i.e.



and



, trade dress and representation or any other artwork/s which a reproduction of the artistic works of the BOMBAY DYEING logos, or any of them, and/or substantial parts thereof, so as to infringe the Plaintiff's copyright in the BOMBAY DYEING logos;

14. The Court Receiver, High Court of Bombay is hereby appointed with the following powers and directions:

(a) All powers under Order XL Rule 1 and Order XXXIX Rule 7 of the Code of Civil Procedure, 1908 except the power of sale.

(b) A direction to visit and search all premises of Defendants, forcibly breaking open locks if necessary; and also where necessary, with police assistance.

(c) A direction to seize and seal in the Defendants' premises all the offending material, including, cartons, dyes, moulds, printing equipment and other material of all description that carry the impugned mark or label.

(d) A direction to make an inventory of all the material, equipment, etc.

15. For the effective, expeditious and practical implementation of this order, there is need of appointment of Additional Special Receivers since the Defendants are located at various locations across States.

(a) The Advocate for Plaintiffs has given the name of Advocates who can be appointed as Additional Special Court Receivers to assist the Court Receiver attached to this Court.

(b) Following persons are appointed as Additional Special Receivers to execute this order. Their details are given below:

1. Name: Gurpreet Singh Sahota
Email: gurpreet.singhsahota3@gmail.com
Enrolment Number:
KB/3141/2020 (Karnal Bar)
PH/715/2020 (Punjab & Haryana High court)
Contact Number: +91 93154 66660

2. Name: SRIKANTH.G.
Email: pravaralegal@gmail.com
Enrollment Number: AP/2126/2019
Contact Number: +91 9100330796

3. Name: Oshin Upadhyay
Email: oshinupadhyay6665@gmail.com
Enrollment Number: MP/3162/2022
Contact Number: +91 9691996665

4.Name: Pranjal Apurva
Email: pranjal.apurva9@gmail.com
Enrollment Number: UP04347/2021
Mobile: +91 8400622235

5. Name: Mohit Yadav
Email: mohit_yadav@cpslegal.in
Enrollment Number: D/7767/2018
Contact Number: +91 9205725759

6.Name: Lakshya Sharma
Email: advlakshya20@gmail.com
Enrollment Number: D/4974/2021
Contact Number: +91 9711440489

7. Name: Rakshit Jain
Email: rakshitjain1997@gmail.com
Enrollment Number: D/4553/2019
Contact Number: +91 8860617995

8. Name: Sandeep Khairwal
Email: sk.adv30@gmail.com
Enrollment Number: D/2451/2015
Contact Number: +91 9999861361, +91 9643993689

(c) The fees of Additional Special Receivers for executing this commission is fixed at Rs.35,000/- each, per day each or part thereof. These fees will be paid by the Plaintiff in the first instance, but the Plaintiff is at liberty to seek these costs at the final hearing of suit.

(d) It is clarified that the Court Receiver, High Court of Bombay also stands appointed and that the appointment of Additional Special Receivers is only for convenience.

(e) The Additional Special Receivers will submit their report by email to the office of Court Receiver, High Court of Bombay at its email id: crcvr-bhc@nic.in.

(f) For execution and implementation of the order:

(i) The Additional Special Receivers are empowered and authorized, acting on the digitally signed copy of this order, to take the assistance of the local police authorities in the execution of this commission.

(ii) The concerned police authorities are directed to act on production of a digitally signed copy of this order.

(iii) The Court Receiver will issue the necessary letters of authority to enable the local police to act.

(iv) The Additional Special Receivers are directed to seize and seal all infringing goods bearing the impugned trade mark / label and make inventory of such seized goods.

(v) The Additional Special Receivers may, if necessary, break open any locks with the assistance of police.

(vi) The Additional Special Receivers may visit each of the locations of the Defendants and any other additional addresses of the Defendants as may be pointed out by the Plaintiffs' representative and to seize and seal all infringing products of the Defendants.

(vii) These products will be retained in the Defendant's respective premises for the present.

16. In the facts and circumstances of the case, the Court Receiver, High Court of Bombay will not insist upon the production of hard copy of this order, but will act on production of a soft copy digitally signed.

17. This order is not to be uploaded until the Court Receiver, High Court of Bombay and the Additional Special Receivers execute their commission as above.

18. The Plaintiffs will comply with the provisions of Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 within 14 days of the Court Receiver and Additional Special Receivers completing / executing their commission as directed by this order.

19. The Advocates for the Plaintiff will lodge a copy of this order with the office of the Court Receiver within seven days of such copy being made available. Upon the same being lodged with the Court Receiver, compliance with Rule 596 of the Bombay High Court (Original Side) Rules, 1980 is dispensed with.

20. Liberty is granted to the Defendants to apply for variation, modification or recall of this order after at least 7 clear working days' notice to the advocate of the Plaintiff.

21. The Additional Special Receivers will submit their respective reports by email to the office of Court Receiver, High Court of Bombay by 11th January, 2027.

22. The Court Receiver, High Court of Bombay will submit a report to the Court on or before 18th January, 2027.

23. List the above Interim Application along with Clause XIV Leave Petition on 20th January, 2027.

24. This order will continue until 20th January, 2027.

25. All concerned to act upon copy of this order digitally signed by the Private Secretary of this Court.

(M.M. SATHAYE, J.)