

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.M.JOSEPH

&

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF DECEMBER 2013/29TH AGRAHAYANA, 1935

Arb.A.No. 61 of 2013 (A)

AGAINST THE COMMON ORDER DATED 31-7-2013 IN OP(ARB) 186/2013 AND
199/2013 IN THE COURT OF ADDITIONAL DISTRICT JUDGE II, TRIVANDRUM.

APPELLANT(S)/RESPONDENT IN O.P(ARB)NO.186/13/PETITIONER IN OP(ARB)
NO.199/13:

R.SHIJU, AGED 43 YEARS,
SON OF RAMAKRISHNAN, RESIDING AT VISHNU NIVAS, MEDAYIL,
CHEMPAZHANTHI.P.O.,
THIRUVANANTHAPURAM NOW AT 'SHARAVANAM',
CHEMPAZHANTHI.P.O., THIRUVANANTHAPURAM-695 587.

BY ADV. SRI.B.S.SIVAJI

RESPONDENT(S)/PETITIONER IN OP(ARB)NO.186/13/RESPONDENT IN OP(ARB)
NO.199/13:

SUNIL KUMAR V., AGED 45 YEARS,
SON OF VISWANATHAN NAIR.P, ANNAPOORNESWARI SADANAM,
PAINKULAM.P.O., KANYAKUMARI DISTRICT,
NOW RESIDING AT P-94, PATTANIKKUNNU LANE,
SASTHAMANGALAM.P.O., THIRUVANANTHAPURAM DISTRICT.

BY ADVS. SRI B.S.SIVAJI FOR CAVEATOR
SRI.RAM MOHAN.G.
SRI.G.P.SHINOD
SRI.MANU V.
SRI.GOVIND PADMANAABHAN.

THIS ARBITRATION APPEALS HAVING BEEN FINALLY HEARD ON
20-12-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S ANNEXURES :-

- ANNEXURE A1 : TRUE COPY OF THE TRADE MARK APPLICATION
DATED 15-5-2013.
- ANNEXURE A2 : TRUE COPY OF THE APPLICATION IN FORM TM-1
DATED 15-5-2013.
- ANNEXURE A3 : TRUE COPY OF THE REPRESENTATION
DATED 15-5-2013 BEFORE THE REGISTRAR OF TRADE MARKS.
- ANNEXURE A4 : TRUE COPY OF THE REPRESENTATION
DATED 15-5-2013 BEFORE THE REGISTRAR OF TRADE MARKS.
- ANNEXURE A5 : TRUE COPY OF THE APPLICATION IN FORM TM-1
DATED 15-5-2013.

//TRUE COPY//

P.A TO JUDGE

amk

K.M.JOSEPH & A.HARIPRASAD, JJ.

Arb.Appeal No.61 of 2013

Dated this the 20th day of December, 2013.

J U D G M E N T

K.M.Joseph, J.

Being aggrieved by the common order passed by the Additional District Judge - II, Thiruvananthapuram, this Arbitration Appeal has been filed under Section 37 of the Arbitration and Conciliation Act, 1996. The appellant is the respondent in O.P(Arb) No.186/2013 and petitioner in O.P(Arb) No.199/2013 in the court of Additional District Judge -II, Thiruvananthapuram.

2. We heard the learned counsel for the parties. It is a common case and that the matter is now pending before the arbitrator. We do not find it necessary to go into the question and we leave it open to the parties to raise all the contentions before the arbitrator.

The appeal is accordingly closed.

**Sd/-
K.M.JOSEPH, JUDGE.**

**Sd/-
A.HARIPRASAD, JUDGE.**

amk

//True Copy//

P.A to Judge