

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 832 of 2015 (O/M)

Date of decision : 12.3.2015

Phonographic Performance Limited

..... Appellant

Versus

Hotel Prakash through its partner Mr. Ajay Kumar Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Amit Arora, Advocate, for the appellant.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Pursuant to the order passed by this Court on 29.1.2015, affidavit of Malar Hirijagner, Manager, Legal, with regard to the condonation of delay of 217 days in filing the appeal, has been filed, which is taken on record.

Learned counsel for the appellant seeks to withdraw the present appeal with liberty to move an application before the trial Court for disposal of the application of the plaintiff for grant of ad-interim injunction.

In case, such an application is filed, the trial Court is directed to dispose of the question regarding grant of ad-interim stay, within 30 days.

Dismissed as withdrawn with liberty aforesaid.

Before parting with the order, it comes out that the suit for declaration and permanent injunction has been filed against the

respondent (appellant herein), which has been entertained by the learned Additional District Judge, Ludhiana.

The learned District and Sessions Judge, Ludhiana, is directed to look into the matter on administrative side as to how the suit for declaration and permanent injunction was entertained by the learned Additional District Judge, Ludhiana, whereas it should have been instituted in the Court of lower grade, at the first instance.

(KULDIP SINGH)
JUDGE

12.3.2015
sjks