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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM APPL. 5631/2016 in FAO 282/2015

M/S INTER IKEA SYSTEMS B V Appellant
Through: Ms. Shwetasree Majumder with Ms.
Tanya Varma, Advocate.
versus

M/S AIKYA GLOBAL Respondent
Through: Ms. Rajeshwari H. With Ms. Aparna
Gaur, Advocate.

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI

ORDER

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16.02.2016

1. This is an application under Section 151 CPC seeking clarification of the order dated 07.09.2015 and extension of time fixed thereunder by 30 days.
2. I have heard the learned counsel for the appellant and also learned counsel for the respondent. This is a case which was disposed of by this court vide order dated 07.09.2015, directing the trial court to complete the trial before 07.04.2016. A question of infringement of the trademark of the appellant was involved. Learned counsel for the appellant has now contended that on account of certain unforeseen circumstances, it would not be possible to conclude the trial by 07.04.2016, and therefore, the time be extended by 30 days.
3. Learned counsel for the respondent has vehemently opposed the

enlargement of time and tried to attribute the reasons for delay due to the conduct of the appellants. She has handed over a chart of the dates in order to substantiate her submissions.

4. I have considered the chart and also considered the record also. I do not find any merit in the contention of the learned counsel for the respondent and that any fault can be attributed to the appellants some delay is inherent in process of completing the trial proceedings. In any case, the appellants are not enjoying any interim order that would cause prejudice to the respondent. There should have been no opposition for extension of time.
5. Having regard to the submissions, the application under Section 151 CPC is also treated as an application under Section 148 CPC seeking enlargement of time to dispose of the appeal by the trial court. The time is enlarged till 31.05.2016. To that extent the order dated 07.09.2015 stands modified and the trial court is expected to conclude the trial latest by 31.05.2016.

V.K. SHALI, J

FEBRUARY 16, 2016 / n