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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) 594/2015**

SOM DISTILLERIES & BREWERIES LIMITED

..... Appellant

Through : Mr Sandeep Sethi and Mr Sanjeev Sindhvani,
Sr Advocates with Mr Someer Sodhi, Mr Kapil
Wadhwa, Mr Aman Nandrajog, Mr Arjun
Nanda and Ms Tanya Sharma, Advs.

versus

CARLSBERG BREWERIES A/S

..... Respondent

Through : Mr A. S. Chandhiok and Mr Rajiv Nayar, Sr
Advocates with Mr Peeyoosh Kalra, Mr
Brijesh, Ms Mohini, Mr Ritesh Kumar, Advs.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **20.10.2015**

CAV 1121/2015

The learned counsel for the respondent/ caveator is present.

The caveat stands discharged.

CM 24637/2015, CM 24638/2015, CM 24639/2015 & CM 24640/2015

Allowed subject to all just exceptions.

CM 24641/2015 (condonation of delay)

The delay in filing the present appeal is condoned.

The application stands disposed of.

FAO(OS) 594/2015 & CM 24636/2015 (stay)

We have heard the counsel for the parties. This appeal is disposed of with the direction that the appellant may use only those bottles which have not earlier been put to use. According to the learned counsel for the appellant there are 11,40,000 such bottles which have not been used at all and would be used only for the first time. A clear affidavit along with proof of evidence with regard to this statement shall be filed today, if possible. In any event, the affidavit shall be served on the respondent today itself.

This appeal stands disposed of.

However, the entire excise details and clearances with regard to the bottles shall be placed before the learned Single Judge on or before the next date of hearing. This order has been passed only till 05.11.2015 on which date the learned Single Judge will continue with the hearing.

Dasti.

BADAR DURREZ AHMED, J

OCTOBER 20, 2015
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SANJEEV SACHDEVA, J