

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

O.S.A.No.140 of 2017

- 
1. Quintessential Designs India Pvt. Ltd.,
represented by its CEO Mr.Syed Layak Ali,
5th Floor, Status Quo,
38 Sterling Road,
Nungambakkam,
Chennai-600 034.
2. QDSeatoman Designs Pvt. Ltd.,
represented by its Director Mr.Syed Layak Ali,
5th Floor, Status Quo,
38 Sterling Road,
Nungambakkam,
Chennai-600 034. ... Appellants/Respondents/Plaintiff
- Vs.
- 1 .Puma Sports India (Pvt.) Ltd.,
No.509, CMH Road,
Indira Nagar,
Bengaluru-560 038. सत्यमेव जयते
2. PUMA SE,
PUMA Way 1,
91074 Herzogenaurach,
Germany. ... Respondents/Applicants/Defendants
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Original Side Appeal has been filed under Order XXXVI Rule 9 of Original Side Rules read with Clause 15 of Letters Patent against the order passed by the Original Side Judrisdiction of this court dated.05.04.2017 and made in Application No.1543 of 2017 in C.S.No.215 of 2015.

Application No.1543/2017:- Application praying to receive the documents listed in schedule as additional documents on behalf of first defendant.

(Xerox copy of Schedule attached)

For Appellants : Mr.P.S.Raman, SC
for Mr.M.S.Bharath

For Respondents : Mr.Chinmoy Sharma
for Mr.A.R.Ramanathan

JUDGMENT

(Judgment of the Court was made by The Hon'ble Chief Justice)

This Appeal is against an order dated 5th April 2017, whereby the learned Single Bench allowed an application of the respondents seeking permission to mark additional documents on behalf of the first defendant in C.S.No.215 of 2015. The suit was filed for alleged infringement of copy right, damages, rendition of accounts and other reliefs.

2 Mr.P.S.Raman, learned Senior Counsel appearing on behalf of the appellants submitted that the application for additional documents was made after the examination of his witness. He has also questioned the admissibility of additional documents. It hardly need be mentioned that all the additional documents allowed to be marked, would be subject to any objection that might be taken.

3 As conceded by Mr.Chinmoy Sharma, learned counsel appearing on behalf of the respondents, the appellants might be permitted to recall their witness for further examination. However, such further examination shall be confined only to the additional documents.

4 In our view, the order under appeal does not call for interference. The appellants will be entitled to take objections to the additional documents as permissible in law, and also to further examine their witness in relation to additional documents.

5 This Original Side Appeal is disposed of, with the above observations. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vvk

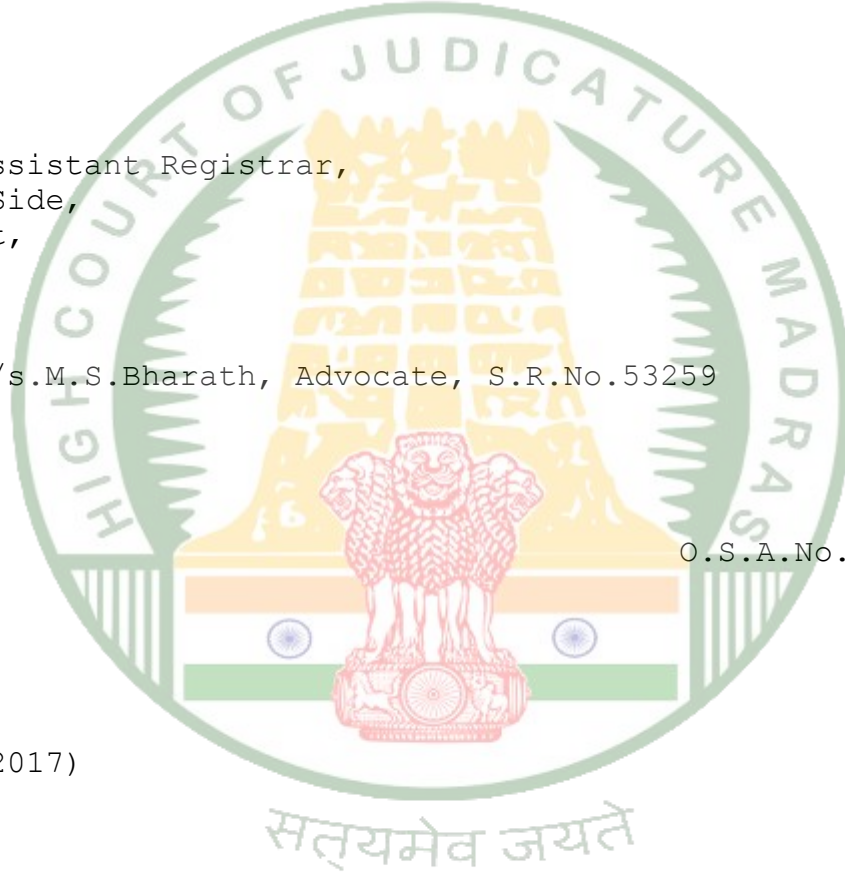
To

The Sub-Assistant Registrar,
Original Side,
High Court,
Madras.

+1cc to M/s.M.S.Bharath, Advocate, S.R.No.53259

O.S.A.No.140 of 2017

GR(CO)
CU(17/08/2017)



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