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

+ **CONT.CAS(C) 409/2017**

BIG SHOWS ENTERTAINMENT PVT LTD. Petitioner

Through: **Mr. Sumit Nagpal, Ms. Nishika
Arora & Ms. Kamna S. Nagpal,
Advocates**

versus

GAUTAM KAPOOR

..... Respondent

Through: **Nemo.**

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **25.05.2017**

C.M.No. 20247/2017 (u/S 151 CPC)

Allowed subject to all just exceptions.

CONT.CAS(C) 409/2017

In a suit under Sections 134 & 135 of the Trade Marks Act, 1999, a temporary injunction has been issued by the trial court vide order of 24th November, 2016. Petitioner seeks to initiate contempt in respect of the said order by alleging that this order is not being acted upon. At the same time, petitioner discloses that order in question i.e. of 24th November, 2016 is sub-judice in appeal and no stay has been granted.

Since petitioner has an efficacious remedy by way of filing of an application under Order 39 Rule 1 & 2-A of CPC, therefore, this petition is not entertained. This petition is accordingly disposed of with liberty to

avail of the remedy as available in law.

(SUNIL GAUR)
JUDGE

MAY 25, 2017

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