

\$~18

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

+ **FAO (OS) (COMM) 150/2017, CAV No. 678/2017 & CM APPL.  
Nos. 26320/2017 & 26321/2017**

**BENNETT COLEMAN & COMPANY LIMITED** ..... Appellant

Through: Mr. Neeraj Kishan Kaul, Sr.  
Advocate with Mr. Kumal Tandon,  
Ms. Nidhi Jain, Mr. Shashank  
Shekhar, Mr. Kapil Rustagi, Mr. D K  
Srivastava & Mr. B Vivekananda,  
Advocates

versus

**ANNAPURNA BROADCASTING PRIVATE LIMITED**

**& ORS.**

.... Respondent

Through: Mr. Kirti Uppal, Advocate with Mr.  
Nadeem Khan, Mr. Misbah Bin Tariq,  
Mr. Amanullah & Mr. Saqib Husain,  
Advocates

**CORAM:**

**HON'BLE MR. JUSTICE S. RAVINDRA BHAT**

**HON'BLE MR. JUSTICE S.P.GARG**

**ORDER**

**% 28.07.2017**

The appellant is aggrieved by the acceptance (by the learned Single Judge) of the concession, without prejudice of the respondent/defendants that they would not use the expression "TIMES" in their logo and instead will use "TIMEZ".

It is urged by the learned senior counsel that there are several grounds on which such arrangement as an *ad hoc* interim measure, should not have been accepted by the Court, that the learned

*FAO (OS) (COMM) 150/2017*

*Page 1 of 2*

4

Single Judge should have considered the petitioner/appellant's reservations/objections on this point and decided the application on its merits.

This Court is of the opinion that the appellant, in the first instance, should move the learned Single Judge for advancing the case for a date earlier than 15.09.2017 and also urge why the impugned order, is not feasible.

In case, such appellant so applies, learned Single Judge is requested to consider the application on merits, after hearing the parties at his earliest convenience and decide it according to law.

At this stage, learned counsel for the defendant/respondent submits that the concession made with respect to the use of the word logo "TIMEZ" would be withdrawn.

It is clarified that all rights and contentions of the parties are reserved.

In the light of the aforesaid observations, counsel for the appellant seeks liberty to withdraw the appeal which is accordingly dismissed as withdrawn.

*Dasti* under signatures of Court Master.



S. RAVINDRA BHAT, J



S.P. GARG, J

**JULY 28, 2017/P**