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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 407/2017 & I.A.No. 10013/2017(stay)**

M/S DABUR INDIA LTD

..... Plaintiff

Through: Mr. Sudhir K. Makkar, Sr. Adv. with
Ms. Meenakshi Singh, Ms. Saumya
Gupta, Ms. Ridhi Munjal and Mr.
Sudhanshu Suman, Advocates.

versus

M/S PATANJALI AYURVED LTD

..... Defendant

Through: Mr. Rajiv Nayyar, Sr. Adv. with Mr.
Simranjeet Singh, Mr. Rohan Ahuja,
Ms. Sonali Dhir, Mr. Siddhartha
Mahajan and Ms. Mahima Deepak,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **28.11.2017**

1. After arguments, this suit is allowed to be withdrawn as prayed with liberty to the plaintiff to file a fresh suit in accordance with the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 inasmuch as the present causes of action and reliefs in the present plaint are very much IPR matters as covered under Section 2(1)(c)(xvii) of the said Act.

2. Though this suit would not continue and would be disposed of as withdrawn, however, interim order granted in this suit by the Division

Bench of this Court on 31.10.2017 in FAO(OS) 249/2017 will continue till 4.12.2017, and which is done with the consent of the parties, but making it clear that under no circumstances the interim injunction passed effectively by the Division Bench of this Court, but in this suit, would continue beyond 4.12.2017 and continuation of the interim injunction till 4.12.2017 is not in any manner a reflection on the merits of the cases of the respective parties or any entitlement of the plaintiff to be entitled to injunction in the fresh suit which is proposed to be filed by the plaintiff under the aforesaid Act.

Dasti to counsels for the parties.

VALMIKI J. MEHTA, J

NOVEMBER 28, 2017

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