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

+ **FAO 373/2017**

AQUALITE INDIA LIMITED & ANR

..... Appellants

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. C.A. Brijesh, Advocate and
Ms. Jasmine Malik, Advocate.

versus

CROCS INC, USA

..... Respondent

Through: Mr. S.K. Bansal, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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14.09.2017

C.M. Nos.33709-10/2017 (Exemptions)

1. Exemptions allowed, subject to all just exceptions.

Applications stand disposed of.

FAO 373/2017 & C.M.No. 33708/2017(stay)

2. Without going into any depth of respective issues raised by the parties, this appeal is disposed of with the consent order that the operation of the impugned order dated 25.8.2017 for the present is suspended inasmuch as the main injunction application as also the application under Order 39 Rule 4 CPC filed by the appellants/defendants is coming up for hearing before the trial court on 15.9.2017.

3. In the facts of the present case, the trial court is requested to

expedite the disposal of the application for injunction filed by the respondent/plaintiff and the application under Order 39 Rule 4 CPC filed by the appellants/defendants. Application under Order 39 Rule 4 CPC is listed tomorrow i.e on 15.9.2017 and the respondent/plaintiff will appear in the trial court tomorrow and pleadings in this application under Order 39 Rule 4 CPC will be completed before the next main date fixed in the trial court which is stated to be 28.10.2017.

4. Nothing contained in the *ex-parte* interim order dated 25.8.2017 will be a reflection on merits of the case of the respective parties and which merits so far as disposal of the injunction applications of the respective parties are concerned would be decided uninfluenced by any observations in the order dated 25.8.2017.

5. The appeal is accordingly disposed of in terms of the aforesaid order and parties are directed to ensure that they should not ask for adjournment before the trial court for disposal of the injunction applications of the respective parties.

VALMIKI J. MEHTA, J

SEPTEMBER 14, 2017

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