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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER (ST.) No. 2537 OF 2018
WITH
CIVIL APPLICATION (ST.) No. 2538 OF 2018**

M/s. Sneha Publishers & Ors. ... Appellants/Applicants
Vs.
Saraswati Publishing Co. Pvt. Ltd. ... Respondent

Mr. G.S. Godbole i/b. Mr. Rahul S. Kulkarni, Advocate for the appellants/applicants.
Mr. Amit B. Borkar, Advocate for the respondent.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 1st February, 2018.

P.C.:

Upon mentioning, taken on production board.

2. This Appeal from Order is directed against the order dated 9th January, 2018 passed by the learned District Judge-6, Kolhapur on Exhibit 5 in Regular Civil Suit No. 1 of 2017. By the said order, the appellants/defendants were temporarily restrained from printing/publishing/selling/marketing Marathi Calendar by name "Ambabai", which is having similar trademark of respondent's Calendar by name "Shri Mahalaxmi".

3. The learned counsel for the appellants submitted that the

impugned order is stayed by the trial Court and the stay continued till 3rd February, 2018. He submitted that the stay be continued and the matter be fixed for admission.

4. The learned counsel for the respondent, while opposing this prayer, submitted that the appellants are in fact restrained by the order of the trial Court in earlier four suits and those orders were confirmed by this Court and they are injuncted from publishing Calendar having the similar layout like “Shri Mahalaxmi”.

5. Considering the submissions, the matter is fixed for admission on 12th February, 2018. Till then, the orders of stay of injunction subsequently passed by the trial Court on 9th January, 2018 and 23rd January, 2018 to continue till 12th February, 2018.

6. Registry to accept two Calendars of 2018, namely, “Ambabai” and “ Shri Mahalaxmi”.

(MRIDULA BHATKAR, J.)