

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**FAO No.3632 of 2018(O&M)
Date of Order:03.07.2018**

Montecarlo Limited

..Appellant

Versus

Monte Carlo Fashions Ltd. and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Puneet Bali, Senior Advocate, with
Mr. Abhilaksh Grover, Advocate, and
Mr. Vaibhav Jain, Advocate,
for the appellant.

Mr. Ajay Sahni, Advocate, with
Mr. Ankur Sangal, Advocate and
Mr. Namit Gautam, Advocate,
for the Caveator-respondents.

ANIL KSHETARPAL, J(Oral)

This appeal has been preferred against the order dated 08.06.2018 passed by the learned Additional District Judge/Vacation Judge, Ludhiana. The interim order passed is operative till 09.07.2018. The Court at Ludhiana is still to adjudicate upon application for an interim injunction.

Learned counsel for the petitioner has tried to persuade this court to interfere in an interlocutory order, however, this court is of the considered view that the ends of justice would be met, if trial court at Ludhiana is directed to finally decide the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure on the date already fixed i.e. 09.07.2018, positively. If, due to any eventuality, the Court is unable to

decide the application on 09.07.2018, it must be decided on 12.07.2018.

Needless to say that it would be open to the parties to raise all the contentions on merits and the order passed by this Court would not in any way effect the decision of the case.

Counsel for the parties undertake to finally argue the interim application under Order 39 Rules 1 and 2 of the Code of Civil Procedure.

Counsel for the petitioner has also undertaken that reply to the appellation for interim injunction shall be furnished to the counsel opposite by 06.07.2018.

In view of what has been recorded hereinabove, the present petition is disposed of accordingly.

July 03, 2018
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No