

\$~14

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

+ **FAO(OS) (COMM) 24/2017 & CM APPL. 3625/2017**

ARUN CHOPRA Appellant

Through: Ms. Shobhana Takiar, Adv.

versus

GURINDERPAL BAWA Respondent

Through: Mr. Apar Chopra, Mr. Vinit Trehan
and Mr. Aditya Trehan, Advs.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

%

17.04.2018

The appellant's grievance is with respect to the denial of temporary injunction to it in respect of the defendant's allegedly infringing use of the trademark "Hotel Kaka International". The impugned order granted injunction to the appellant/plaintiff to restrain the defendant from using trade mark "Kaka Restaurant".

At the outset, the Court notices that on the very first date of hearing i.e. 30.01.2017, this Court had extended the injunction so as to restrain use of the expression "Kaka" in defendant's premises "Hotel Kaka International".

Having regard to the circumstances, we are of the opinion that the said interim order should be continued and that the issue of extending the injunction or otherwise, should be considered by the learned Single Judge after considering all the materials on record. All

contentions of the parties on this aspect are kept open; it is clarified that para 2 of the interim order dated 30.01.2017 shall not be treated as conclusive.

The appeal stands disposed off accordingly.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

APRIL 17, 2018

rc