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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1091/2018 & CM APPL. 37314-37315/2018
SAGAR RATNA RESTAURANTS PVT LTD Petitioner
Through Mr. Mayank Mehandru, Ms. Charu
Tandon, Advs.

versus

VIRENDER SHARMA Respondent
Through None.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **17.09.2018**

CM APPL. 37315/2018 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

CM(M) 1091/2018 & CM APPL. 37314/2018

Vide the present petition, the petitioner assails the impugned order dated 28.08.2018 and 06.09.2018 filed by the petitioner of the learned Trial Court of the ADJ-01 (South) in Arbitration No. 241/18. A bare perusal of the order dated 28.08.2018 and 06.09.2018 indicates that the matter is pending before the learned Trial Court for arguments. Vide order dated 28.08.2018, the matter had been renotified for consideration on 06.09.2018 and on 06.09.2018 the learned counsel for the respondent had put in appearance and vakalatnama was also filed and part arguments were addressed and the matter had been renotified for 10.10.2018.

CM(M) 1091/2018

page 1 of 2

Vide the prayer made in the petition, the petitioner seeks the grant of ex-parte injunction seeking setting aside of the order dated 28.08.2018 and 06.09.2018 submitting to the effect that an expeditious disposal in relation to the contention of the petitioner of the infringement of the trade mark is pending before the learned Trial Court and ought to be expeditiously adjudicated. Apparently there being no adjudication on record so far, there can be no setting aside of the orders dated 28.08.2018 and order dated 06.09.2018 as sought on behalf of the petitioner.

The Trial Court record is however directed to endeavour to hear the matter on 10.10.2018 as already fixed without default.

The petition is disposed of accordingly.

Copy of this order be sent to the learned Trial Court.

Copy of the order be given Dasti, as prayed.

ANU MALHOTRA, J

SEPTEMBER 17, 2018/MK