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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO 500/2017

SKODA AUTO INDIA PVT LTD.

..... Appellant

Through: Mr. Akhil Sibal, Senior Advocate
with Mr. R. Sudhinder and Ms. Ekta
Bhasin, Advocates.

Versus

MONTE CARLO FASHIONS LIMITED

..... Respondent

Through: Mr. Sudhir Chandra, Senior Advocate
with Mr. Varun Lal and Mr. Rahul
Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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03.01.2018

CAV. No.1116/2017

Since the learned counsel for the caveator has put in appearance, the caveat stands disposed off.

C.M.Nos. 47062-63/2017 & 140/2018 (for exemption)

Allowed, subject to all just exceptions.

The applications stand disposed off.

FAO 500/2017 & C.M.Nos. 47061/2017 & 138-39/2018

This appeal impugns the *ex parte* injunction passed by the Trial Court against the appellant on 25.09.2017. The injunction order was stayed by this Court on 22.12.2017 till today. The appellant's application for early hearing of the application for vacating the *ex parte* injunction is stated to be listed on 15.01.2018 before the Trial Court.

Mr. Sudhir Chandra, the learned Senior Advocate for the appellant, fairly states upon instructions, that the appellant would not insist upon the subsistence and operation of the injunction till the disposal of the applications under Order XXXIX Rule 4 CPC and Order XXXIX Rules 1 and 2 CPC.

In the circumstances, the Trial Court is requested to dispose-off the aforementioned applications as soon as possible, preferably by the end of this month or as soon as may be practicable thereafter.

Nothing stated in this order or in the order of 22.12.2017 shall be deemed to be an adjudication upon or a reflection on the merits of the case and the Trial Court would take a view in the matter, as it deems appropriate, uninfluenced by these two orders.

With the above directions, the appeal, alongwith pending applications, stands disposed off.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J.

JANUARY 03, 2018

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