

C.M.P.No.17654 of 2019 in C.M.A.No.SR92470 of 2019

T.RAJA, J.

This civil miscellaneous petition has been filed to condone the short delay of 5 days in filing the appeal.

2. Learned counsel for the petitioners submitted that there is a trade mark dispute between the parties. After the impugned decretal order was passed in I.A.No.280 of 2018 in O.S.No.231 of 2018 on 16.4.2019, the petitioners were taking steps to settle the matter out of the Court. However, finding it difficult, after a delay of five days, they do not want to take any more chance. Hence, they have filed the present appeal with the delay application. As the said short delay is neither wilful nor wanton, but only due to the bona fide reason mentioned, the same may be condoned.

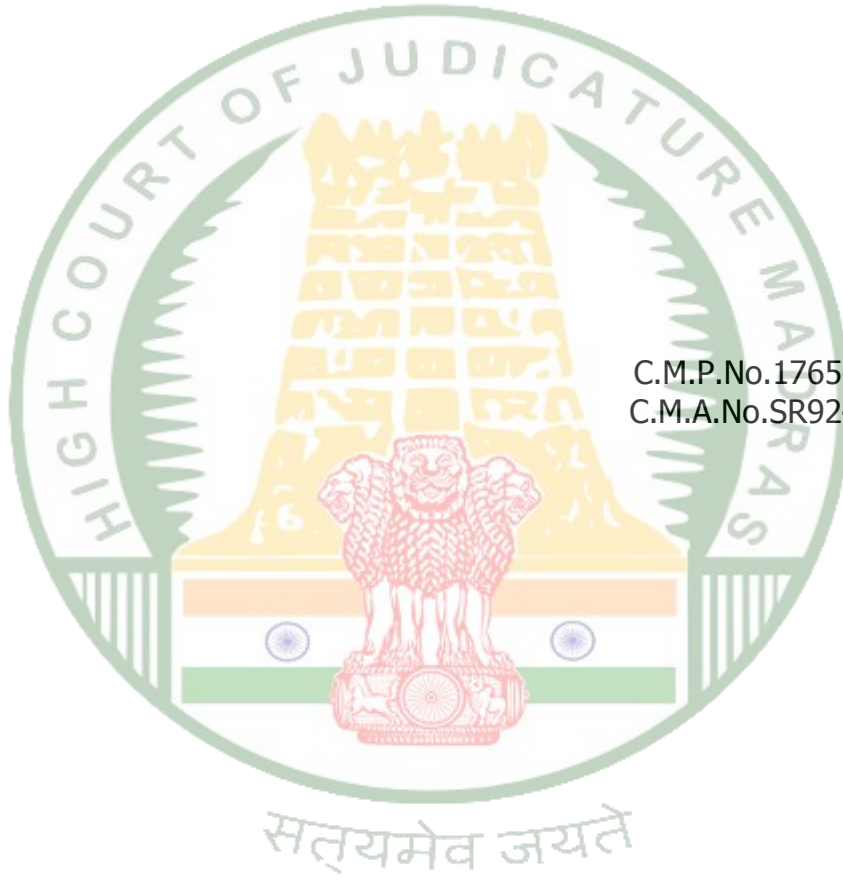
3. Heard both sides.

4. As the dispute as to whether 'Tirupur Sree Annapoorna' is entitled to enjoy the trade mark or 'Sree Annapoorna', Coimbatore is entitled to enjoy the trade mark, deserves consideration in the appeal, the short delay of 5 days is condoned and the civil miscellaneous petition stands allowed.

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SS

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