

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

FAO No.2087 of 2019 (O&M)
Date of decision:-01.04.2019

Tiens Group Company Ltd. & anr.

.....Appellants

versus

M/s Makeover Trading & ors.

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rahul Rajput, Advocate for the appellants.

Mr. Vikas Bali, Advocate for respondents No.1, 3 and 4.

TEJINDER SINGH DHINDSA, J.(ORAL)

The instant appeal is directed against the order dated 05.03.2019 and in terms of which an exparte ad interim injunction sought by the appellants has not been granted by the Trial Court and rather notice alone has been issued in the application under Order 39 Rules 1 & 2 CPC.

On the last date of hearing, Mr. Vikas Bali, Advocate, had entered appearance on behalf of respondents No.1, 3 and 4.

Inspite of service having been effected, there is no representation on behalf of respondent No.2.

Counsel representing the appellants makes a submission at the very outset that he would not be pressing the instant appeal on merits and rather raises an alternate prayer for directions to be issued to the Trial Court to take a final decision on the application that had been moved under Order 39 Rules 1 & 2 CPC.

The alternate prayer raised by counsel for the appellants is not

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opposed by counsel representing respondents No.1, 3 and 4.

Court has been apprised that the next date fixed before the Trial Court is 02.04.2019.

In view of the consensus arrived at between the parties, the instant appeal is disposed of with a direction to the Trial Court to grant to respondents herein three weeks time for filing the reply to the application filed under Order 39 Rules 1 & 2 CPC and to finally decide the application itself within a period of four weeks thereafter.

Appeal is disposed of in the aforesaid terms.

It is however clarified that this Court has not examined the case on merits and all submissions and contentions on either side are left open.

(TEJINDER SINGH DHINDSA)
JUDGE

01.04.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No