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

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Judgment delivered on: 19.12.2019

+ FAO 501/2019 & CAV. 1249/2019, & CM APPL. 54586-88/2019

FSN E-COMMERCE VENTURES PVT LTD Appellant

versus

LOREAL S.A & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Sudhir Chandra, Sr. Advocate with Mr. Ankur Sangal, Mr. Nishad Nadkarni, Ms. Pragya Mishra and Mr. Shiva Tokas, Advocates

For the Respondent: Mr. Sanjeev Sindhvani, Sr. Advocate with Mr. S.K. Bansal, Ms. Avi Bhandari, Mr. Saurabh Pandey and Ms. Harshita Verma, Advocates

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Appellant impugns order dated 20.11.2019 whereby the trial court has granted an ex parte ad interim injunction restraining the appellant from using the impugned trade dress/packaging style.
2. Learned Senior Counsel appearing for the respondent points out that order dated 20.11.2019 contains certain typographical error which were corrected by the trial court by its order dated 23.11.2019.
3. Learned Senior Counsel appearing for the appellant submits that the appellant shall be approaching the trial court with an application under

Order 39 Rule 4 CPC seeking vacation of the exparte ad interim order and shall also file its written statement along with its documents before the trial court on 23.12.2019.

4. Learned Senior Counsel for the appellant seeks leave to withdraw the appeal with liberty to take up all available pleas before the trial court.

5. The appeal is accordingly dismissed as withdrawn with liberty to the appellant as prayed for. All rights and contentions of the parties are reserved.

6. List before the trial court on 23.12.2019 for directions.

7. In case an application under Order 39 Rules 1 and 2 or 4 is filed by the appellant, trial court shall endeavour to dispose of the same preferably within a period of one month from 23.12.2019.

8. Since the date before the trial court has been fixed in the presence of the parties, Parties/counsels for the parties shall also appear before the trial court on 23.12.2019.

9. It is clarified that this Court has neither considered nor commented on the merits of the case of either party.

10. The appeal is disposed of in the above terms.

11. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J.

DECEMBER 19, 2019/‘rs’