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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 1296/2016, IA No.11502/2016 (u/O XXXIX R-1&2 CPC) &
IA No.11503/2016 (u/S 80(2) r/w Section 151 CPC).
KRBL LTD Plaintiff

Through: Mr. Pankaj Kumar, Mr. Vinay Kumar
Shukla, Mr. Kapil Kumar Giri and Mr.
Ajay Amitabh Suman, Advs.

versus

ASHOK KUMAR AND ANOTHER Defendants
Through: Mr. Amit Bansal, Adv. for D-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **25.01.2019**

1. The plaintiff had instituted this suit for permanent injunction restraining unknown person impleaded as defendant no.1 Ashok Kumar from exporting rice under the mark 'INDIA GATE'.
2. The suit was entertained and summons thereof issued to the defendant no.2 Commissioner of Customs.
3. The defendant no.2 in its written statement has taken a stand that no reports brand-wise of the exports are kept and thus the defendant no.2 is unable to furnish any particulars of the exporter.
4. The plaintiff, for the last two years has been taking adjournments to find out the particulars of the exporters passing off his goods as that of the plaintiff under the mark 'INDIA GATE'.
5. The counsel for the plaintiff today states that since the plaintiff has been unable to find the said particulars, the plaintiff withdraws this suit with liberty to file again as and when cause of action accrues.

Dismissed as withdrawn with liberty aforesaid.

RAJIV SAHAI ENDLAW, J

JANUARY 25, 2019/pp..