

In the High Court of Punjab and Haryana, at Chandigarh

F.A.O. No. 7621 of 2017 (O&M)

Date of Decision: 23.01.2020

Monte Carlo Ltd.

... Appellant(s)

Versus

Monte Carlo Fashions Limited and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Puneet Bali, Senior Advocate
with Mr. Vaibhav Jain, Advocate
for the appellant.

Mr. Namit Gautam, Advocate
for respondent No.1.

Anil Kshetarpal, J.

Undisputedly, application under Order XXXIX Rules 1 & 2 CPC is still pending before the learned trial Court. The present appeal has been filed against *ex parte* interim order dated 03.11.2017. On 22.11.2017, the following order was passed:-

“Senior counsel appearing for caveator prays for a short accommodation.

He assures the Court that till the case is heard at the motion stage, the plaintiff would not press for any contempt of the impugned order”.

Keeping in view the facts of the case, present appeal is disposed of by directing the trial Court to decide the application under Order XXXIX Rules 1 & 2 CPC within one month from today. Till then, the

interim protection granted to the appellant, vide order dated 22.11.2017, shall continue to operate. All the miscellaneous applications, if any, shall also stand disposed of.

(Anil Kshetarpal)
Judge

January 23, 2020
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No