

O.A.No.1045 of 2019
in
C.S. No.667 of 2019

DR.G.JAYACHANDRAN, J.

After completion of pleadings, the suit is posted for framing of issues.

2.Learned counsel appearing for the plaintiff submitted that the application for interim injunction is pending and that may be disposed of.

3. On hearing the learned counsels regarding the interim application, this Court is of the view that since the matter is ripe for trial, any discussion and decision about the similarity and dissimilarity in the bottle design of the plaintiff and the defendant will only delay the process and may cause prejudice to the parties. Hence, the application for interim injunction is dismissed without prejudice, for the parties to agitate their respective case by letting in evidence.

4. In the written statement, the defendant has raised a counter claim regarding the validity of the plaintiff's design. The plaintiff has filed reply for the counter claim. The issue regarding the validity of the plaintiff design can be decided in the trial.

DR.G.JAYACHANDRAN,J.

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5.In the light of the above fact, the suit shall proceed further by framing of issues and fixing date for examination of witness. Meanwhile, the plaintiff is permitted to file their affidavit of admission and denial of documents.

Call the matter on **24.09.2021.**



03.09.2021

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