

**142 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO-5467-2022 (O&M)
Date of decision: 21.12.2022

M/s Sagar Enterprises

....Appellant

Versus

Diwakar Enterprises and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil Sihag, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

The appellant's suit alleging unauthorised use of its trade mark and trade name by the respondents is pending before the trial court. On an application filed by the appellant, the court has restrained the respondents from distributing its products under the trade name of 'DISAWAR'. Learned counsel representing the appellant contends that the appellant's prayer for restraining the defendants from using the trade name 'DIWAKAR' has neither been rejected nor allowed.

Since the order passed by the court is only an interlocutory order, therefore, it would not be appropriate for this Court to exercise its appellate jurisdiction. Hence, the appeal is disposed of with liberty to the appellant to file an application before the trial court in this regard.

All the pending miscellaneous applications, if any, are also disposed of.

21.12.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE