



\$~7

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

%

Date of Decision: 15th June, 2022+ **CM(M) 599/2022****PHENOMENON AGENTS LTD. & ANR.** Petitioners

Through: Mr. Anil Kumar Sahu, Mr. Mohit Sharma, Mr. Pran Krishna, Mr. S. Garg, Mr. Ayush Dixit and Mr. Roshan Kumar, Advocates.

versus

POWERYE ELECTRONICS & ANR.

..... Respondents

Through: None.

CORAM:**HON'BLE MS. JUSTICE JYOTI SINGH****JYOTI SINGH, J (ORAL)****CM APPL. 28421/2022 (exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM APPL. 28422/2022 (exemption from service to Respondents)

3. Since there is an urgency in the matter and the matter is being heard today, Petitioners are exempted from serving advance notice on Respondents.
4. For the reasons stated in the application, the same is allowed and disposed of.

CM APPL. 28423/2022 (exemption)

5. Subject to the Petitioners filing certified, clearer and translated copies, which it may seek to place reliance on, within four weeks from today, exemption is granted.



6. Application is allowed and disposed of.

CM(M) 599/2022 & CM APPL. 28424-25/2022

7. Present petition impugns the order dated 07.06.2022, which for ready reference is extracted hereunder:-

“Fresh suit under Trademark and Copyright Act for permanent injunction and passing off etc. was received on 04.06.2022 when presiding officer was on training and hence the matter was adjourned for today. It be checked and registered.

Put up for consideration of all applications on 27.07.2022.”

8. This Court does not find any reason to interfere in the order as the Trial Court has not adjudicated upon the rights of the parties and has only adjourned the matter for consideration on 27.07.2022.

9. No interference is called for in the impugned order.

10. At this stage, learned counsel appearing on behalf of the Petitioners submits that it would suffice if the Trial Court is directed to take up the matter at an early date, since Petitioners have filed applications under Order 39 Rules 1 and 2 CPC seeking interim injunction and appointment of a Local Commissioner.

11. The Court finds merit in this submission of the learned counsel appearing on behalf of the Petitioners and accordingly, the Trial Court is requested to take up the matter on 04.07.2022, for consideration.

12. It is made clear that this Court has not expressed any opinion on the merits of the case.



13. Accordingly, the present petition is disposed of along with pending applications.

JYOTI SINGH, J
(VACATION JUDGE)

JUNE 15, 2022/sn

