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O.S..A.Nos.178,179 & 180/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07-06-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

O.S.A.Nos.178, 179 & 180 of 2021

O.S.A.Nos.178 & 179/2021 :

1.Centaur Pharmaceuticals Pvt. Ltd.

2.Kibow Biotech Inc. ... Appellants

-VS-

1.La Renon Health Care Pvt. Ltd.

2.Stanford Laboratories Pvt. Ltd. ... Respondents

O.S.A.No.180/2021 :

1.La Renon Health Care Pvt. Ltd.

2.Stanford Laboratories Pvt. Ltd. ... Appellants

-VS-

1.Centaur Pharmaceuticals Pvt. Ltd.

2.Kibow Biotech Inc. ... Respondents



O.S.A.No.178 of 2021 is filed under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of the Letters Patent against the order, dated 01.04.2021, passed in A.No.1616 of 2020 in OA No.1082 of 2019 in C.S.(Com.Div.) No.684 of 2019 on the file of this Court.

O.S.A.No.179 of 2021 is filed under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of the Letters Patent against the order, dated 01.04.2021, passed in A.No.282 of 2020 in OA No.1082 of 2019 in C.S.(Com.Div.) No.684 of 2019 on the file of this Court.

O.S.A.No.180 of 2021 is filed under Clause 15 of the Letters Patent against the order, dated 01.04.2021, passed in O.A.No.1082 of 2019 in C.S.(Com.Div.) No.684 of 2019 on the file of this Court.

For Appellants in O.S.A.Nos.178 & 179/2021 &
Respondents in O.S.A.No.180/2021 : Mr.Vineet Subramani

For Respondents in O.S.A.Nos.178 & 179/2021 &
Appellants in O.S.A.No.180/2021 : Mr.Adarsh Ramanujam

JUDGMENT
(By *S.Vaidyanathan,J.*)

It is represented by Mr.Adarsh Ramanujam, learned counsel for the appellants in O.S.A.No.180 of 2021, that the interim injunction granted by a learned single Judge of this Court has been stayed by a Division Bench and that the matter has



been taken to the Supreme Court, whereupon the Supreme Court has directed the parties to appear before the Division Bench of this Court in order to decide the matter within a period of six weeks from the date of listing. Mr.Adarsh Ramanujam further submitted that after the interim orders of this Court, the matter is taken up on trial and that the present status may be continued and all the appeals can be disposed of with a request to the learned single Judge to take up the suit in C.S.(Com.Div.) No.684 of 2019 and decide the matter at the earliest point of time.

2. On the other hand, Mr.Vineet Subramani, learned counsel for the respondents in O.S.A.No.180 of 2021, submitted that the interim order of this Court has been violated, for which the present O.S.A.Nos.178 and 179 of 2021 have been filed to punish the appellants in O.S.A.No.180 of 2021.

3. Mr.Adarsh Ramanujam would, however, submit that whether there is a violation or not or whether there is a contempt made out is the subject matter in C.S.(Com.Div.) No.684 of 2019, wherein an issue to that effect has been framed.

4. Since all the issues are pending before the learned single Judge and the interim order is operating for the last two years, without prejudice to the rights of the parties factually and legally, we close all these Appeals, with a request to the learned



single Judge to take up the suit viz., C.S.(Com.Div.) No.684 of 2019 and decide the same as early as possible. No costs. Consequently, the connected C.M.P.No.8101 of 2021 is closed.

Index : Yes/No
Internet : Yes/No
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(S.V.N.,J.) (K.R.S.,J.)
07-06-2023



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