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

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Judgment delivered on: 25.01.2023

+ CM(M) 122/2023

MIS SHREE RATHNAM RESTAURANTS

PVT. LTD.

..... Petitioner

versus

M/S VRINDAVAN FOODS AND ANR Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Aman Vashisth, Adv

For the Respondent : None

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

CM APPL. 3819/2023

1. Exemption is allowed, subject to all just exceptions.
2. Application stands disposed of

CM(M) 122/2023 & CM APPL. 3818/2023 (Stay)

3. The only grievance of the petitioner is that the learned Trial Court has not disposed of its application under Section 9 of the Arbitration & Conciliation Act, 1996 within a reasonable period and the same has been pending since March, 2022.
4. Learned counsel submits that even now, part arguments only have

been heard and the matter is now listed for further hearing on 04.02.2023.

5. Learned counsel submits that the apprehension of the petitioner is that respondent may and would possibly be misusing the franchise agreement and violating the trade mark law and using the trade mark of the petitioner even after termination of the franchise agreement. He further submits that every day of delay is causing immense loss to the name and reputation of the petitioner apart from the financial losses.

6. In view of the urgency expressed by the learned counsel for the petitioner, the service of notice upon the respondent is dispensed with.

7. This Court has considered the submissions made by learned counsel and is of the opinion that the Trial Court should endeavour to hear the complete arguments on the date already fixed i.e. 04.02.2023 and dispose of the same at the earliest and not beyond two weeks from 04.02.2023.

8. With the aforesaid directions, the petition stands disposed of.

TUSHAR RAO GEDELA, J .
JANUARY 25, 2023/ms