



O.A. Nos.943, 944 and 945 of 2023

O.A. Nos.943, 944 and 945 of 2023
&
A. Nos.5994 & 5995 of 2023
in
C.S. (COMM. DIV.) No.270 of 2023

ABDUL QUDDHOSE, J.

The applicant / plaintiff is having the benefit of an interim order in O.A. Nos.943, 944 and 945 of 2023.

2. The learned counsel for the respondents would submit that the parties have arrived at an amicable settlement. However, the learned counsel for the plaintiff would submit that the respondents have stated that they have purchased the infringed products from a 3rd party and therefore, the 3rd party have to be impleaded as party defendants in the suit. A separate application has been filed by the plaintiff in A. No.230 of 2024 seeking to implead the parties from whom the respondents / defendants claims to have purchased the infringed products. Only after observing that the plaintiff has made out a prima facie case, this Court had granted an order of interim injunction in O.A. Nos.943, 944 ad 945 of 2023.

3. Since the respondents / defendants have not raised any objection for making the interim injunction absolute and in view of the fact that a



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prima facie case, balance of consideration and irreparable hardship has been established, this Court is making the interim injunction granted in O.A. Nos.943, 944 and 945 of 2023 absolute and is allowing the said applications as prayed for.

4. The learned counsel for the plaintiff has also made an endorsement in the court bundle that he is not pressing application A. No.5994 of 2023, which has been filed by the plaintiff seeking for appointment of an Advocate Commissioner. The said endorsement is recorded. Accordingly A. No.5994 of 2023 is dismissed as not pressed.

5. A. No.5995 of 2023 has been filed to combine the cause of action. Since sufficient cause has been shown by the plaintiff, this Court is allowing the said application. Accordingly A. No.5995 of 2023 is allowed as prayed for.

19.01.2024

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