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

+ **W.P.(C) 6446/2024**

CINNI FOUNDATION TRUST

..... Petitioner

Through: **Mr. Chandra Prakash, Advocate.**

versus

BEREAU OF ENERGY EFFICIENCY(BEE) & ANR.

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

07.05.2024

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1. The Petitioner has approached this Court for a direction to the Respondent No.1 to cancel the Star Rating granted in the name of the Dynasty India, i.e. Respondent No.2, despite there being a restraining Order dated 03.02.2017 passed in Case no 43/2014 by district judge Varanasi against Dynasty India and its proprietor from using the trademark "CINNI".
2. It is the case of the Petitioner that the star rating given by the Respondent is in the teeth of the injunction Order and, therefore, there is a violation of the injunction Order. It is stated by the learned Counsel for the Petitioner that a representation has been given to the Respondent No.1 on 25.01.2024 bringing to its knowledge about the extension of the interim order against an Order passed by the Court of competent jurisdiction restraining Respondent No.2 from using the term "CINNI" and also requesting the Respondent No.1 that the star rating given by the Respondent



No.1 to the Respondent No.2 is in violation of the said Order. It is stated that the said representation has yet not been decided.

3. This Court is inclined to dispose of the present Writ Petition with a direction to the Respondent No.1 to dispose of the representation given by the Petitioner within six weeks from today. An appeal is also maintainable under Section 31 of the Energy Conservation Act (EC Act) 2001. In view of the fact that the Petitioner would not have been aware of the Order granting star rating to the Respondent No.2, if an appeal is filed by the Petitioner before the Appellate Authority within six weeks from today, then the appeal be not dismissed only on the ground of limitation.

4. With these observations and directions, the Writ Petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

MAY 7, 2024

Rahul