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IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO(OS) (COMM) 237/2023

MS CHAMPA PREMA TANDEL

..... Appellant

Through: Mr. Bhavesh Parmar, Ms. Reshma
Nair, Mr. Anandh K., Ms. Shruti
Iyer & Ms. Nishita Jagetia, Advs.

Versus

GREAT GALLEON VENTURES LIMITED & ANR... Respondents

Through: Mr. Kapil Wadhwa & Ms. Vasanthi
Hariharan, Advs. for R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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30.01.2024

1. The appellant has filed the present appeal impugning an order dated 25.05.2023 (hereafter '**the impugned order**') passed by the learned Single Judge in I.A. No.10177/2023 in CS(COMM) No.343/2023 captioned ***Great Galleon Ventures Ltd. v. Champa Prema Tandel Sole Proprietor of Dharmesh Distillery & Anr.***

2. In terms of the impugned order, the learned Single Judge had appointed the Local Commissioner to visit the premises of the appellant and to conduct the search and seizure of counterfeit foods. The impugned order was passed in the context of the allegations that the appellant was engaged in passing off and selling counterfeit goods. The learned Single Judge examined the images of the products allegedly dealt with by the appellant and *prima facie* found the same were merited.

3. The learned counsel appearing for the appellant submits that the appellant is neither aggrieved by the appointment of the Local Commissioner nor the *ad interim* injunction order passed by the learned



Single Judge. He has confined the challenge in the present appeal to the directions issued by the learned Single Judge not to upload the impugned order for a period of two weeks. He submits that no such direction could be passed. He also contends that there is no Rule, which enables the Court to issue any such direction to the Registry. He referred to Section 33 and Order XX of the Code of Civil Procedure, 1908 (hereafter '**the CPC**') and submitted that a judgment is required to be pronounced in open court. He stated that the same would also require that the judgement be uploaded on the website of the court.

4. We find no merit in the aforesaid contentions. It is apparent from the above that the learned Single Judge had issued the direction not to upload the impugned order on the website of this Court for a period of two weeks from the date of passing of the same to ensure an element of surprise. This was to prevent the appellant from removing the counterfeit goods prior to the execution of the commission.

5. We are also unable to accept that the powers of the Court to grant interim relief or to issue appropriate directions are curtailed in any manner as suggested by the learned counsel for the appellant. The orders are directed to be uploaded on the website of the Court in terms of the circular issued by the Court.

6. The contention of the learned counsel for the appellant that the directions fall foul of the provisions of the CPC is bereft of any merit. There is no provision under the CPC which requires the orders to be uploaded on the website of the Courts. The CPC also does not curtail the power of the court to issue appropriate directions to the registry of the court. There is no cavil that the impugned order was pronounced in the



Court. It was duly signed and an authenticated copy of the same was made available to the respondent. The appellant was also not precluded from applying for a certified copy of the impugned order.

7. The contentions advanced on behalf of the appellants are unmerited and insubstantial. The appeal is, accordingly, dismissed with costs quantified at ₹50,000/-. The costs shall be paid to the respondent within a period of two weeks from date.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 30, 2024

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[Click here to check corrigendum, if any](#)