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

+ **FAO-IPD 11/2022 & CM APPL. 7858/2019**

CENTERL PARK ESTATES PVT LD & ORSDecree Holders
Through: **Mr. Peeyoosh Kalra and Mr. Yashwant Singh Baghel, Advocate.**

versus

SANKALP CONSTRUCTIONS PVT LTDJudgement Debtor
Through: **Mr. Rajat Bhalla, Advocate.**

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
09.01.2025

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1. The present appeal has been filed by the appellants/plaintiffs against the impugned order dated 22nd November, 2018 passed by the Additional District Judge, Patiala House Courts, New Delhi whereby the interim injunction application filed by the appellants/plaintiffs was dismissed and the application under Order XXXIX Rule 4 of Code of Civil Procedure, 1908 ('CPC') filed by the respondent/defendant was allowed.
2. When the present appeal came up for hearing before this Court on 18th January, 2019, it was directed by this Court that the impugned order be kept in abeyance. Subsequently, on 14th August, 2019, on an application filed by the respondent seeking vacation of the interim order dated 18th January, 2019, it was clarified that the order dated 18th January, 2019 would not prevent the respondent from selling the unsold flats of the project in question.
3. Counsel for the respondent submits that all the flats in the aforesaid



project have already been sold by the respondent.

4. Counsel for the parties submit that the suit itself is coming up for final hearing before the trial court on 4th February, 2025.

5. In light of the aforesaid, no useful purpose would be served by keeping the present appeal pending before this court.

6. Accordingly, the appeal is disposed of with a direction that the respondent shall not use the impugned mark in relation to any of its projects till final adjudication of the suit.

7. It is clarified that these observations have been made without adverting into the merits of the case and the same shall have no bearing on the final adjudication of the suit by the trial court.

AMIT BANSAL, J

JANUARY 9, 2025

Vivek/-