



2025:DHC:4851-DB



\$~33

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

+ **FAO (COMM) 157/2025**

UMESH KUMAR NAGPAL & ANR.Appellants

Through: Mr. Abhishek Malhotra, Senior Advocate, Mr. Angad Singh Dugal, Mr. Govind Singh Grewal, Ms. Tanya Jolly, Mr. Shubham Niwas, Mr. Pranav Chadha, Ms. Sonal Chhablani, Mr. Yashwatrdhan Singh and Ms. Raghavi Shukla, Advs.

versus

LEVI STRAUSS AND CO.Respondent

Through: Mr. Dayanan Krishnan, Sr. Adv. with Mr. Rishi Bansal, Mr. Ajay Amitabh Suman, Mr. Gaurav Gogia, Mr. Vibhor Sethi, Ms. Shruti Manchanda, Mr. Arpit Pundir, Mr. Sukrit Seth, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

% **30.05.2025**

C. HARI SHANKAR, J.

1. After some hearing, learned Counsel for the parties are agreeable to a disposal of this appeal, which is directed against an *ad interim* order of injunction passed by the learned District Judge (Commercial Court), New Delhi, Patiala House Courts¹, with a direction to the learned Commercial Court to take up the respondent's

¹ "the learned Commercial Court" hereinafter



2025:DHC:4851-DB



application under Order XXXIX Rules 1 and 2 of the CPC and hear it finally on the date to be fixed by this Court.

2. We accordingly dispose of this appeal in the following terms:

(i) The appellant would file its reply to the respondent's application under Order XXXIX Rules 1 and 2 of CPC within three weeks from today.

(ii) The respondent would file its rejoinder thereto, if any, within one week therefrom.

(iii) No extension of time for filing of reply or rejoinder shall be granted.

(iv) We advance the next date of hearing before the learned Commercial Court to 3 July 2025.

(v) We request the learned Commercial Court not to adjourn the case on that date and to take up and hear the Order XXXIX Rules 1 and 2 of CPC application for final hearing.

(vi) In order to facilitate hearing, we direct both sides to have with them a four page note, precisely setting out their rival stands and exchange copies with each other before presenting them to the learned Commercial Court.



2025:DHC:4851-DB



3. Learned Counsel for the parties undertake not to take adjournment on that date.
4. The learned Commercial Court would proceed to hear the matter uninfluenced by any observation contained in the order under challenge. Needless to say, either party, if aggrieved by the decision of the learned Commercial Court on the Order XXXIX Rules 1 and 2 CPC would have its remedies in law reserved.
5. The appeal is disposed of in the aforesaid terms.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

MAY 30, 2025

dsn

Click here to check corrigendum, if any