



**BEFORE THE SPECIAL JUDGE, COMMERCIAL COURT &
13TH ADDITIONAL DISTRICT JUDGE, SURAT.**

COMMERCIAL TRADE MARK CIVIL SUIT - NO. 14 of 2025

Plaintiff :- Condor Trade SRL and Other

Vs.

**Defendants :- Chetan Kumar Gupta Trading as
B.S.G. Products.**

INTERIM ORDER BELOW EXHIBIT - 5

1. The present application has been filed by the plaintiff under Order 39, Rule I & II of The Code of Civil Procedure Code, alongwith the suit for the infringement of registered trade mark and passing-off action along with other reliefs under the Trade Marks Act and other relevant provisions of Civil Procedure Code, 1908.
2. In the present application, the plaintiff has prayed for the reliefs as mentioned in para 49 (a) to 49 (f) of the application Exh.05.
3. Upon presentment of the present suit and application, notice was issued to the defendant which were duly served upon the defendant through e-mail on its registered e-Mail address and it is declared by the plaintiff though service Affidavit but neither the defendant himself nor through the Advocate, appeared before this Court.

4. At this juncture, It is required to be considered that, the present application is an interim injunction application under Order 39, Rule I & II where, both the parties should be heard on merits of the application, however, as defendant has not appeared before this court and not filed any reply without hearing them, it is not appropriate to decide the application on merits and to pass injunction order *ex parte*. But, simultaneously, it also appears necessary to restrain the said defendant till the next date of hearing of the injunction application from committing further infringement as prayed for by the plaintiff in his application exh.5, hence the following order is passed;

ORDER

The Ad-interim injunction in terms of Para 49 (a) to 49 (f) of the present application exh.5 is granted till next date.

Pronounced and signed in open court today on **28th day of April, 2025.**

Date : 28/04/2025
Place : Surat.

(RITESHKUMAR KANTILAL MODH)
Special Judge, Commercial Court &
13th Additional District Judge, Surat.
(GJ00825)