

IN THE COURT OF 4th ADDITIONAL DISTRICT JUDGE, AHMEDABAD[R]

T. M. Suit No. 05 / 2017

Order Below Exhibit - 1 & 30

- [1] The present suit is filed by the plaintiff under Section 29, 134 and 135 of the Trademark Act for infringement of registered trademark and where the plaintiff has prayed for injunction on account of passing off act committed by the defendant. Now the suit was filed on 19/04/2017 and interim injunction application was decided on merits on 14/05/2018. Subsequently, issues were framed on 04/08/2018 and since then the plaintiff has not produced any evidence. The plaintiff is provided for producing evidence for nearly 7.5 years but till today, the plaintiff has not produced any evidence. Even today, the advocate for the defendant is present before the court and stated that the plaintiff is consistently absent and not proceeding with the suit and so they have given application for dismissing the suit on account of plaintiff remained absent. The record on hand definitely support the say of the plaintiff and so the court believes that the plaintiff is provided with more than sufficient opportunity to proceed further. But today, neither the plaintiff nor his advocate or his recognized agent/pleader are present before the court for producing evidence. In that case, the suit

is hereby ordered to be dismissed for default in accordance with the provision of Order IX Rule 8 of the Code of Civil Procedure.

Signed & Pronounced in the open Court today on this 15th day of June, 2026.

Date : 15/06/2026.

Place: Ahmedabad.

(Mr. Advait Surendra Vyas)
4th Additional District Judge,
(UID Code: GJ00709)