

Present: Sri Utpal Misra (JO Code:WB00659)
Judge, Commercial Court at Alipore
Title Suit 18 of 2022
CNR no. WBSP18-000156-2022

Order No. 14
31.05.2023

In the matter of:
Suit for infringement of
trademark under the
Trade Marks Act, 1999,
and for infringement of
copyright under the
Copyright Act, 1957,
valued at Rs.
5,00,00,000/-
And
In the matter of:
Tata Consumer Products
Ltd.
Vs.
In the matter of:
Radhey Salt Trading
Company & 02 Ors.

ORDERED

Received the instant case record from the National Lok Adalat held wherein vide order dated 13.05.2023, the said Ld. Bench has observed that "no settlement could be arrived at".

Today is fixed for filing affidavit – in – opposition if any, by the Defendant No. 1 and 2 being I.A Nos. 02/2022 .

Today for filing rejoinder if any, by the Plaintiff against the written objection to the application under Order XL Rule 1 read with Section 151 CPC being I.A. no. 03/2022 and objection to the application being I.A no. 03/2022 by the Defendant No 2.

Today also for S/R , appearance of the Proforma Defendant.

Plaintiff and Defendant No 1 and defendant No 2 file their respective haziras.

Defendant No 2 files a petition praying for acceptance of the vakalatnama on the ground stated therein. Copy served . Let it be kept with the record.

Defendant No. 2 files a petition praying for time for serving the copy of the necessary documents upon the said Defendant by the Plaintiff and also pray for time.

Heard, Considered and prayer is allowed.

Plaintiff is directed to served the copy of necessary documents to the Defendant No 2 in the meantime.

The Plaintiff has filed an application under order XL Rule 1 read with section 151 CPC being I. A no. I.A no. 03/2022 on 28.09.2022.

However, the Ld. Counsel for the Plaintiff not presses the above application.

*Hence the instant application being **I.A no. 03/2022** is **disposed off** as not pressed.*

*Fix **03.07.2023 at 12.30 p.m** for filing affidavit – in – opposition if any, by the Defendant No. 1 and 2 being I.A Nos. 02/2022 .*

***To date** also for S/R , appearance of the Proforma Defendant.*

Written Statement within statutory period.

I.A. no. 10/2023

*Plaintiff at this stage, files another application in supported by an affidavit praying for extension of the ad-interim order of injunction dated 28.09.2022. Let the same be registered as **I.A. No. 10/2023**.*

Prayer is considered and allowed.

Let the order of ad-interim injunction is extended till next date fixed.

Accordingly, the instant I.A. No. 10/2023 is hereby disposed off.

Both parties are to act on the basis of the downloaded copy of the ordersheet from the Web-site / Ecourts-app.

Dictated & corrected by me,

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*

Sd/-

*Judge, Commercial Court at Alipore
For districts of South 24 Parganas, Purba Medinipur,
Paschim Medinipur & Jhargram*