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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 124/2019, I.A. 3364/2019 (under Order XXXIX R. 1 and 2 r/w Sec. 151 of CPC for interim injunction) and I.A. 4832/2019 (on behalf of D-2 under Order XXXIX R. 4 r/w Sec. 151 of CPC for vacation of injunction)**

CDE ASIA LIMITED

..... Plaintiff

Through: Mr. Sudhir Chandra, Senior Advocate
with Mr. Rajat Manchanda, Advocate.

versus

TEREX INDIA PRIVATE LIMITED

..... Defendant

Through: Mr. P. Chidambaram, Senior
Advocate with Ms. Manish Jha, Mr.
Angad Baxi and Mr. Abhishek Jan,
Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
09.01.2023

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1. The post-grant opposition proceedings before the Controller have concluded and the matter is now reserved for orders.
2. Mr. P. Chidambaram, Senior Counsel for Defendant, refers to the order dated 26th September, 2022 and points out that irrespective of the pendency of proceedings before the Controller, arguments in **I.A. 3364/2019** can be commenced. Mr. Sudhir Chandra, Senior Counsel for Plaintiff, requests for a short adjournment.
3. Mr. Chandra states that he will complete his submissions within two hours' time. Mr. Chidambaram assures that he will not take more than an



hour. Rejoinder submissions shall be concluded within 15 minutes thereafter.

4. Parties are directed to file brief note of submissions, not exceeding five pages, along with the relevant case law(s), which shall be circulated at least ten days before the next date of hearing.

5. Along with the brief note, counsel shall also prepare and hand over a convenience file containing relevant pleadings, documents on which they seek to rely upon.

6. Consolidated note of submissions and convenience file shall also be handed over as well as e-mailed to the Court Master within the same timelines.

7. List for hearing on 06th and 07th March, 2023 along with CS(COMM) 400/2022.

SANJEEV NARULA, J

JANUARY 9, 2023

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