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

+ **FAO-IPD 3/2024 & CM 57/2024, 58/2024, 59/2024 & 2/2025**

SSG PHARMA PRIVATE LIMITED

.....Decree Holder

Through: Mr. Suhail Dutt, Senior Advocate
with Mr. Niki Kantawala,
Mr. Prakhar Sharma, Mr. Kunal
Khanna, Mr. Deepak Kumar Pandey
and Ms. Piya Uppal, Advocates.
(M): 9625966020
Email: info@indiantm.com

versus

DABUR INDIA LIMITED

.....Judgement Debtor

Through: Ms. Akansha Singh with Ms. Saloni
Kasliwal, Advocates.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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09.01.2025

CM 2/2025 (Application for condonation of delay of 85 days in filing the rejoinder)

1. The present application has been filed on behalf of the decree holder under Section 151 of the Code of Civil Procedure, 1908 ("CPC") seeking condonation of delay of 85 days in filing the rejoinder.
2. Issue notice.
3. Notice is accepted by learned counsel appearing for the judgment debtor.
4. Considering the submissions made in the application, the delay of 85



days in filing rejoinder is condoned.

5. The rejoinder is directed to be taken on record.

6. With the aforesaid directions, the present application is disposed of.

FAO-IPD 3/2024

7. Learned counsel appearing for the decree holder has drawn the attention of this Court to the reply dated 01st March, 2017 filed by the judgment debtor to the legal notice dated 26th December, 2016, wherein, on behalf of the judgment debtor, it has been stated as follows:

“xxx xxx xxx

i. Our client has adopted the trademark HINGGOLI for use in relation to their products sometime in April, 1991. When our client applied for registration of the said trade mark, it was brought to its attention that the word HING-GOLI was of a generic nature and not capable of registration as a trademark, our client has been continuously using the word HING-GOLI in relation to its products since April, 1991.

xxx xxx xxx”

8. By referring to the aforesaid, learned counsel appearing for the decree holder submits that the decree holder has no objection if the respondent uses the word HING-GOLI.

9. Let instructions be taken by the judgment debtor in this regard.

10. List for hearing on 04th April, 2025.

MINI PUSHKARNA, J

JANUARY 9, 2025

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