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

+ **CS(COMM) 664/2022 & I.A. 15660/2022, I.A. 18273/2022**

U.S. GREEN BUILDING COUNCIL Plaintiff

Through: Ms. Anradha Salhotra, Adv.
with Mr. Sumit Wadhwa and Mr. Ayush
Samaddar, Advs.

versus

DEMING CERTIFICATION SERVICES PVT LTD

..... Defendant

Through: Mr. Piyush Kumar, Adv. with
Mr. Mukesh Kumar (Defendant in person)

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

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21.12.2022

I.A. 18273/2022 (Under Order XXXIX Rule 2a) in CS(COMM) 664/2022

1. The averments in this application clearly indicate *prima facie* disobedience by the defendant of the order dated 27th September 2022 passed by this Court in IA 15660/2022 (under Order XXXIX Rules 1 & 2 CPC).

2. I have heard Mr. Piyush Kumar, learned Counsel for the defendant, as well as Mr. Mukesh Singh, the defendant, who is also present in person.

3. It is sought to be submitted that the order dated 27th September 2022 has been carried in appeal, though, Mr. Piyush Kumar submits that, till date, the appeal has not even been listed before the court.



4. Mr. Mukesh Singh also seeks to submit that there are parallel proceedings pending before the Registrar of Trade Marks as well as before the Competition Commission of India instituted by him against the plaintiff.

5. None of these submissions can, *prima facie*, justify breach of the order passed by this Court on 27th September 2022.

6. In the circumstances, issue notice.

7. Notice is accepted, on behalf of contemnor/defendant by Mr. Piyush Kumar.

8. Reply, if any, be filed within ten days with advance copy to learned Counsel for the applicant who may file rejoinder thereto, if any, before the next date of hearing.

9. Re-notify on 11th January 2023.

10. On the next date of hearing, Mr. Mukesh Singh shall remain personally present in the court.

11. Interim order to continue till the next date of hearing.

C. HARI SHANKAR, J

DECEMBER 21, 2022

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