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

+ **CS (COMM) 271/2018, I.As. 12271/2018 & 12272/2018**

SOCIETE DES PRODUITS NESTLE,S.A & ANR Plaintiff

Through: Ms. Mamta Jha, Mr. Manish K. Mishra
and Ms. Akansha Singh, Advocates.
(M:9438804704)

versus

MOHD ZAHID AND SONS & ORS Defendants

Through: Mr. Dilip Kumar, counsel for Mr. K. K.
Jha, Adv. for D-96. (M:9540540466)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **12.09.2018**

The present suit has been filed seeking an injunction against counterfeit NESCAFE products being sold in the market. Initially, the suit was filed against three Defendants, along with the fourth being John Doe/s. Thereafter, applications have been moved for impleading various Defendants, who were found to be selling the counterfeit products. There are more than 100 Defendants, who have now been impleaded in this suit. Against several of the Defendants, decrees for permanent injunction have already been passed. This being a civil suit, a question arises as to whether the suit can be kept pending for an infinite period. Learned counsel for the Plaintiff wishes to satisfy the Court on the said issue.

Learned counsel for the Defendant No.96 seeks a passover. Due to a heavy board, passover is not possible today. If there are any pending Defendants, against whom service has not yet been effected, learned counsel for the Plaintiff shall ensure that their service shall be effected for the next date in the Court. List on 3rd October, 2018.

PRATHIBA M. SINGH, J.

SEPTEMBER 12, 2018/Rekha