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

+ **CS(COMM) 502/2019**

MALABAR GOLD PRIVATE LIMITED Plaintiff

Through: Mr. Akhil Sibal, Senior Advocate
with Mr. Bishwajit Dubey, Mr.
Surabhi Khattar, Mr. Isha Malik and
Mr. Shriya Mishra, Advocates.

versus

MANUVEL MEZHUKANAL Defendant

Through: Mr. Ashish Dholakia, Mr. Jaiman
Andrews, Mr. Piyo Herald Jaimaon
and Mr. Sandeep Thakur, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.10.2019**

I.A. 14664/2019 (*Application under Section 151 of the CPC to file a pendrive and a CD, 1908*)

By consent of both the parties the plaintiff is permitted to place on record a pen drive and a CD containing promotional videos and screenshots from the defendant's website.

The application stands disposed of.

I.A 14665/2019 (*Application under Section 151 of the CPC for exemption, 1908*)

1. Exemption allowed, subject to the defendant granting inspection of the documents filed, and as and when required to do so, or producing the original documents at the stage of admission/denial or as and when required by the Court.

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2. The defendant is also permitted to place on record a CD including a promotional video of the defendant.

3. Application stands disposed of.

I.A. 14663/2019 (*Application under Order XXXIX Rule 2A r/w Section 151 of the CPC, 1908*)

1. Issue notice. Mr. Jaiman Andrews accepts notice.

2. Reply within four weeks, rejoinder thereto within two weeks thereafter.

3. List on 04.11.2019.

I.A 14666/2019 (*Application for vacating the interim injunction under order XXXIX Rule 4 of the CPC, 1908*)

1. Issue notice. Mr. Akhil Sibal, Senior Advocate appearing on behalf of the plaintiff accepts notice.

2. Mr. Ashish Dholkia appearing for the defendant has made some suggestions for modification of the trademark used by the defendant, which according to him, will satisfy the injunction granted in favour of the plaintiff. Mr. Akhil Sibal, learned Senior counsel appearing for the plaintiff seeks some time to take instructions on this aspect. In view of the above, the defendant will supply to learned counsel for the plaintiff, the proposed logo and other promotional material by 22.10.2019. The parties may exchange the suggestions regarding the same, without prejudice their rights and contentions.

3. List on 04.11.2019.

PRATEEK JALAN, J

OCTOBER 21, 2019/ 'rkc'/s
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