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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 361/2018& IAs 4575/2005, 8848/2018, 15369/2019
NADEEM MAJID OOMERBHOY Plaintiff
Through: Mr.Tahir Ashraf Siddiqui, Mr.Aniket
Gupta, Advs.

versus

SH. GAUTAM TANK AND ORS Defendants
Through: Mr.Sudeep Chatterjee, Mr.Rohan
Swarup, Advs. for D-1-2.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

18.07.2022

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IA 15369/2019

1. With the consent of the parties, I.A. 15369/2019 is disposed of, framing an additional issue, which is as under:-

Whether upon revival of the present suit vide order dated 27.07.2012 passed by the Division Bench of this Court in RFA (OS) No.19/2011, the ad interim injunction order dated 30.05.2005 stood revived and for the usage of the impugned mark by the defendant thereafter, whether the defendant is liable to pay additional damages to the plaintiff? If so, to what amount? OPP”

2. The learned counsels for the parties state that for this additional issue, they do not wish to lead any further evidence. Evidence in the matter is already complete.

3. The learned counsel for the defendants submits that in terms of the order dated 25.10.2018 passed by the Division Bench of this Court in FAO(OS) (COMM) No.341/2016, up-to-date accounts of the usage of the



impugned trademark shall be filed in Court and further affidavits during the pendency of the suit shall also be filed.

4. In view of the order dated 27.09.2019 passed by the Supreme Court in SLP(C) No.2837/2019 directing that the suit be disposed of expeditiously, list for final hearing on 10th November, 2022.

5. The parties shall file their written submissions along with the copies of judgments sought to be relied upon within a period of four weeks from today.

6. It is made clear that no adjournment shall be granted on the next date of hearing.

NAVIN CHAWLA, J

JULY 18, 2022
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