



\$~20

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 647/2019 & CCP(O) 9/2020, I.As. 16693-16694/2019.**
ITC LIMITED Plaintiff

Through: Mr. Tejveer Singh Bhatia, Mr.
Sudeep Chatterjee and Ms. Tanya
Arora, Advocates.

versus

RAJ KUMAR MITTAL & ORS. Defendants

Through: Mr. Vipul Kumar Sharma, Advocate
for D-1 & 2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
12.01.2023

**I.A. No. 10540/2020 (u/Section 151 of the Code of Civil Procedure, 1908,
for allowing the Defendant No. 1 to use the new design/ label for the
purpose of selling the products in compliance of the order dated 28th
November, 2019)**

1. By way of this application, Defendant No. 1 seeks to place on record the changed packaging that he wishes to adopt. Mr. Tejveer Singh Bhatia, counsel for Plaintiff, states that if the Defendants are willing to give an undertaking that they will not adopt the impugned packaging or any other such deceptively similar packaging, either now or anytime in the future, then the suit can be disposed of in such terms.

2. Since, counsel appearing for Defendants No. 1 & 2 does not have his vakalatnama, and states that the arguing counsel is in personal difficulty



today, the matter is adjourned. The arguing counsel to be present in Court with appropriate instructions on the next date of hearing.

3. Re-notify on 20th January, 2023.

SANJEEV NARULA, J

JANUARY 12, 2023/as