

ORDER SHEET

CS/94/2020
IA No: GA/1/2020, GA/2/2020
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

IN THE MATTER OF:
DUROPLY INDUSTRIES LTD. AND ANR.
VERSUS
MA MANSA ENTERPRISES PRIVATE LTD.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date: 19th November, 2020.

(Via Video Conference)

Appearance:
Mr. Debnath Ghosh, Adv.
Ms. Pubali Sinha Chowdhury, Adv.
Ms. Harshita Ginodia, Adv.
. . .for the plaintiff.

The Court: Pursuant to leave given by the order dated 8th October, 2020, the respondent has applied for vacating of the said order by which the respondent was restrained from manufacturing or distributing their goods under the mark 'Duro Touch' or any other mark which is deceptively similar to the petitioners' 'Duroply' mark. It appears from a subsequent order dated 21st October, 2020 passed by the learned Judge of this Court that the respondent did not file any application for vacating the interim order dated 8th October, 2020 till 21st October, 2020.

The vacating application is now on record.

Learned Counsel appearing for the respondent wishes to press the application after some time since her client is suffering from serious physical ailments.

Learned Counsel for the petitioners seeks to file affidavit in opposition to the vacating application in the meantime.

Considering the prayer for adjournment, let affidavit in opposition to the vacating application be filed within three days from date, reply thereto, if any, within two days thereafter. The vacating application as well as the main injunction application shall be listed after seven days.

The matter will appear on 26th November, 2020.

The interim order dated 8th October, 2020 is extended till 4th December, 2020.

(MOUSHUMI BHATTACHARYA, J.)

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