
(2018) 01 DEL CK 0218

In the Delhi High Court

Case No : Civil Suits (OS) No. 2495 Of 2013, Miscellaneous Application No. 20241 Of 2013, 3661, 8164 Of 2014, 8822 Of 2016

M/S Pvr Ltd

APPELLANT

Vs

P.V.R & Sons Engineers Pvt Ltd & Anr

RESPONDENT

Date of Decision : 05-01-2018

Acts Referred:

Citation : (2018) 01 DEL CK 0218

Hon'ble Judges : Manmohan, J

Bench : Single Bench

Advocate : Sudhir Nandrajog, Sumit Gahlawat, TS Thakraon, Abhishek Sharma, Sushant Singh

Final Decision : Disposed Of

Judgement

Manmohan, J

1. Present suit has been filed for permanent injunction restraining infringement of trademark, mandatory injunction, passing off, rendition of accounts of profit, damages and delivery up.
2. Learned counsel for the defendants states that this Court has no territorial jurisdiction to entertain and decide the present suit.
3. After some arguments, learned counsel for the plaintiff wishes to withdraw the present suit with liberty to re-file the present plaint in a court having competent jurisdiction.
4. To facilitate filing of the present plaint in a court having territorial jurisdiction, this Court directs that the interim order dated 13th December, 2013 shall continue to operate for a period of four weeks. The plaint as well as the documents filed by the plaintiff are directed to be returned to the plaintiff by the Registry of this Court within a period of one week. For this purpose, list the matter before the Joint Registrar on 11th January, 2018.

5. It is made clear that in the event either the plaint is not filed in the court of competent jurisdiction within the aforesaid stipulated period or if no interim order is passed by the competent court within the said time, the interim order passed by this Court shall cease to operate with effect from 05th February, 2018.

6. With the aforesaid directions, the present suit and all pending applications stand disposed of.