

Anil Verma vs R.K. Jewellers Sk Group & Ors on 30 January, 2019

Author: Prathiba M. Singh

Bench: Prathiba M. Singh

\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CS(COMM) 1097/2018

ANIL VERMA

..... Plaintiff

Through: Mr. Saurabh Kirpal, Mr. Raktim Gogoi, Mr. Akshay Chandra, Mr. Aditya Chandra, Mr. Kartikeya Singh, Advocates (M-9717444444)

versus

R.K. JEWELLERS SK GROUP & ORS.

..... Defendants

Through: Mr. Sai Krishna Rajgopal, Mr. Munish Mehra & Ms. Narayani Prakash, Advocates for D-1 to 3 (M-7379852409)

CORAM:

JUSTICE PRATHIBA M. SINGH
ORDER

% 30.01.2019 I.A. 11679/2018 (u/O XXVI Rule 9 CPC)

1. The present I.A. is dismissed as not pressed at this stage. I.A. 15887/2018 (exemption)
2. This is an application seeking exemption from filing certified copies of the orders, dim and illegible documents.
3. Allowed, subject to all just exceptions. I.A. is disposed of. I.A. 15890/2018 (exemption)
4. Allowed, subject to all just exceptions. I.A. is disposed of. I.A. 14810/2018 (for direction)
5. This application is filed by the Defendants seeking permission to open two new stores. Mr. Sai Krishna, Ld. counsel for the Defendants submits that the Defendants have opened two new stores under the name '24 Karat Sona do Paise lo'. The I.A. is accordingly disposed of as being infructuous as the stores have already been opened.

I.A. 893/2019 (u/O XL Rule 1 CPC)

6. This is an application to place additional documents on record. The same is opposed by the Ld. counsel for the Plaintiff on the ground that it is meant to only delay the proceedings and that there is no explanation for belatedly filing these documents. Since the suit is at the initial stage and issues are yet to be framed, the documents are taken on record subject to payment of Rs.10,000/- as costs to the Delhi High Court Advocates Welfare Fund. The documents would have to be proved at the stage of trial in accordance with law. I.A. is disposed of.

CS(COMM) 1097/2018 & CRL.M.A. 47758/2018 (u/S 340 CRPC), I.A. 11678/2018 (stay), I.A. 14796/2018 (u/S 124 of Trade Marks Act), I.A. 15886/2018 (u/O XXXIX Rule 2A CPC)

7. Mr. Saurabh Kirpal has concluded his arguments List for further arguments on behalf of the Defendants on 12th February, 2019.

PRATHIBA M. SINGH, J JANUARY 30, 2019 Rahul