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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 243/2023 with I.A. 42169/2024**

HERO INVESTCORP PRIVATE LIMITED AND ANRPlaintiffs

Through: **Mr Pramod K. Singh, Mr Kirat Singh
and Ms Aastha Sharma, Advocates.**

versus

VM LUBRICANTDefendant

Through: **Mr. Durgesh P. Tiwari, Mr. Krishna
Murari and Mr. Ram Naresh,
Advocates.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **03.02.2025**

I.A. 7872/2023 (Order XXXIX Rule 1 & 2 of CPC)

1. Counsel for the defendant points out that *vide* order dated 3rd October, 2024, the interim order passed in the suit on 1st May, 2023 was confirmed till the final adjudication of the suit on the basis that no reply to the application for interim injunction was filed on behalf of the defendant.
2. Counsel points out that reply to the aforesaid application was in fact filed on behalf of the defendant on 23rd February, 2024 and the same is on record.
3. In view of the above, the order passed on 3rd October, 2024 to the extent it confirms the interim injunction order passed on 1st May, 2023 is recalled.
4. Consequently, I.A. 7872/2023 is revived.
5. List for hearing on 2nd May, 2025.

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6. Interim order to continue.

I.A. 42169/2024 (summary judgment)

7. Counsel for the defendant seeks further time to file reply.

8. Let a copy of the application be supplied to the counsel for defendant during the course of the day.

9. Last opportunity is given to the counsel for the defendant for filing reply within six (6) weeks.

10. Rejoinder thereto, if any, be filed within three (3) weeks thereafter.

11. List on 2nd May, 2025.

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12. List on 2nd May, 2025.

AMIT BANSAL, J

FEBRUARY 3, 2025

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