

ITEM NO.29

COURT NO.4

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 18892/2017
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 10-03-2017
IN FAOS NO. 1/2017 PASSED BY THE HIGH COURT OF DELHI AT NEW DELHI)

M/S. AZ TECH (INDIA) & ANR.

PETITIONER(S)

VERSUS

M/S. INTEX TECHNOLOGIES (INDIA) LTD. & ANR.

RESPONDENT(S)

(FOR ADMISSION AND I.R. AND IA NO.61496/2017-EXEMPTION FROM FILING
O.T.)

Date : 31-07-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Sagar Chandra, Adv.
Mr. Ankit Rastogi, Adv.
Mr. Mishra Saurabh, AOR

For Respondent(s)

Mr. Sudhir Chandra, Sr. Adv.
Mr. Praveen Anand, Adv.
Mr. Aditya Verma, AOR
Mr. Nischal Anam D., Adv.
Mr. Sanchit Sivakumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Having read the order of the High Court of Delhi
dated 10th March, 2017 passed in FAO(OS) No.1/2017 we
find that it is virtually a decision on merits of the
suit. We wonder if the High Court has thought it proper
to write such an exhaustive judgment only because of

acceptance of the fact that the interim orders in Intellectual Property Rights (IPR) matters in the Delhi High Court would govern the parties for a long duration of time and disposal of the main suit is a far cry. This is a disturbing trend which we need to address in the first instance before delving into the respective rights of the parties raised in the present case. We, therefore, direct the Registrar General of the Delhi High Court to report to the Court about the total number of pending IPR suits, divided into different categories, in the Delhi High Court; stage of each suit; and also the period for which injunction/interim orders held/holding the field in each of the such suits. The Registrar General of the Delhi High Court will also indicate to the Court what, according to the High Court, would be a reasonable way of ensuring the speedy disposal of the suits involving intellectual property rights which are presently pending.

We will expect the Registrar General of the Delhi High Court to report to the Court within two weeks from today, latest by 14th August, 2017. The matter will be listed again on 16th August, 2017 on which date the Court will not only consider the report to be filed by the Registrar General of the Delhi High

Court but also the specific issues that have been raised by the parties in the present case.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER