

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No. Nil of 2018

Date	Order with signature of Judge
------	-------------------------------

Samsung Electronics Co., Ltd.,.....Plaintiff

Versus

M/s. Asmaa Traders & others.....Defendants

- 1.For hearing of CMA No.3729/2018
- 2.For hearing of CMA No.3730/2018
- 3.For order on office objection

13.03.2018

Ms. Amna Salman advocate for the plaintiff.
Ms. Masooda Siraj advocate for the defendant No.3.

Dr. Shah Nawaz advocate has filed vakalatnama for defendant No.2. Both learned counsel appearing for the defendants have sought instructions. Yesterday as an interim measure it was ordered that Container No. VIPU2090029 shall not be released by the Custom Authority. Dr. Shah Nawaz learned counsel for the defendant No.2 has categorically stated that the last date of hearing before the Director IPR Enforcement was 09.03.2018 and now the case is fixed for hearing on 14.03.2018 at 11:00 a.m. He further submits that till decision of the complaint filed by the plaintiff to the Director IPR Enforcement the consignment mentioned in the order will not be released by the Custom Authority. His undertaking is taken on record. At this stage, learned counsel for the plaintiff submits that she has no information about the date of hearing. Since Dr. Shah Nawaz advocate has clearly

stated that matter is fixed for tomorrow before Director IPR Enforcement, therefore, plaintiff's representative may appear for hearing and shall not claim any notice.

Since clear undertaking has been given by the Dr. Shah Nawaz advocate that till decision by the Director IPR Enforcement the consignment shall not be released, therefore, interim orders passed yesterday are recalled. In case any adverse order is passed against the plaintiff by the Director IPR Enforcement the plaintiff may avail appropriate remedy in accordance with law. Injunction application is disposed of. Also repeat notice to the defendant No.1 through learned District Judge, Lahore as well as courier service for main case and pending application. The Director IPR Enforcement shall also issue notice to M/s. Asmaa Traders for providing them an opportunity of hearing.

JUDGE

Aadil Arab

