

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Suit No. 520 of 2016

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Date	Order with signature of Judge
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- 1.For hearing of CMA No.5056/2016
- 2.For hearing of CMA No.5057/2016
- 3.For hearing of CMA No.3270/2016

25.01.2018

Khawaja Shoaib Mansoor advocate for the plaintiff.  
Mr. Muhammad Aziz Khan advocate for the defendants.

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This is a suit for infringement, unfair competition, injunction, accounts of profits and damages. Learned counsel for the plaintiff pointed out an order dated 29.02.2016 in which learned Judge of this court jot down the controversy and as an interim measure restrained the defendants in the following terms:-

“Till the next date of hearing, defendants and their agents are restrained from infringing the plaintiff’s registered ‘LIPTON’ AND LIPTON CLEAR GREEN’ trademarks and to remove the trademarks from its hoarding/sign boards”.

The defendant No.2 in this suit has also filed another suit No. 730/2011 for declaration, direction, recovery of dues and damages which is also fixed today. Learned counsel for the plaintiff in Suit No. 520/2016 argued that despite clear orders passed by this court, the defendants have not removed the board from their hotel and shop. Learned counsel for the defendant No.2 has given a clear statement that defendants shall remove the board within 24 hours. He further argued that earlier also the defendants requested the plaintiff to remove the

board by their own but the plaintiff has not removed the same. However, this statement has been denied by the learned counsel for the plaintiff.

Be that as it may, now, both the counsel have resolved the issue and they have instructions from their clients to act accordingly, therefore, as per undertaking of learned counsel for the defendants, they will remove the board within 24 hours. After this agreement, the parties are not at issue in this suit, therefore, by consent the suit is disposed of accordingly along with pending applications.

JUDGE

Aadil Arab