

**SUPREME COURT OF INDIA**

Giani Ram Mittal & Ors.

Vs.

RSPL Health Pvt. Ltd.

C.A.No.700 of 2016

(Anil R.Dave and Adarsh Kumar Goel,JJ.,)

01.02.2016

**JUDGMENT**

**Anil R.Dave,J.,**

SLP(C)No.25021/2015

1. Leave granted.
2. Heard the learned counsel and perused the wrappers of both the products.
3. Looking at the peculiar facts of the case, the impugned order is set aside and the matter is remitted to the High Court, so that it can be heard afresh. The matter shall be taken up for hearing on 8th February, 2016 by the High Court.
4. We are sure that the parties shall be heard afresh and an appropriate order shall be passed after hearing the counsel for the parties.
5. The appeal stands allowed with no order as to costs. Pending application, if any, is also disposed of.
6. Intimation of this order be sent to the High Court forthwith.