

# Rieter Ag And Anr vs Kavassery Narayanaswamy ... on 28 August, 2024

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IN THE HIGH COURT OF DELHI AT NEW DELHI  
CS(COMM) 729/2024  
RIETER AG AND ANR.

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versus

KAVASSERY NARAYANASWAMY  
VENKATASUBRAMANIAN

.....

Through: Mr. Ajit Kumar Sinha,  
with Mr. Govind Jee,  
Omanakuttan K. K., Mr.  
Mr. Rambha Singh, Mr.  
Soni and Mr. Akhilesh  
Mishra, Advs.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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I.A. 37538/2024-Exp

28.08.

1. Exemption allowed, subject to all just exceptions.

2. The application stands disposed of.

I.A. 37537/2024-Addl.doc.

3. The plaintiffs vide the present application seek a period of thirty days to file additional documents.

4. The plaintiffs will be at liberty to file additional documents within thirty days and albeit, strictly as per the provisions of the Commercial Courts Act, 2015 and Delhi High Court (Original Side) Rules, 2018.

5. Accordingly, the present application is allowed and disposed of.

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 29/08/2024 at 22:14:40 I.A. 37536/2024-Exp from pre institution mediation

7. The plaintiffs vide the present application seek exemption from instituting pre-litigation mediation.

8. Considering the averments made in the present application wherein the plaintiffs seek urgent ad-interim reliefs and in view of Yamini Manohar vs. T.K.D. Krithi 2023 SCC OnLine 1382 and Chandra Kishore Chaurasia vs. R. A. Perfumery Works Private Limited 2022:DHC:4454- DB, the plaintiffs are exempted from instituting pre-litigation mediation.

9. Accordingly, the present application is allowed and disposed of. I.A. 37539/2024-seeking extension for filing hash report.

10. The plaintiffs vide the present application is seeking grant of an extension of 30 days for filing the Hash Report under Section 63(4)(c) of Bharatiya Sakshya Adhinyam, 2023.

11. In terms of Rule 24 of Chapter XI of the Delhi High Court (Original Side) Rules 2018, let the electronic record by way of an encrypted CD/DVD/Medium with a hash value in a non-edited form be filed before the Registry within a period of four weeks.

12. Let the same accordingly form a part of the record of the present suit by way of an electronic folder in such a manner that it can be opened to view by this Court as and when required. Also let the hash value shall be kept separately by the Registry on the file.

13. Accordingly, the present application is allowed and disposed of. CS(COMM) 729/2024

14. Issue notice.

15. Mr. Govind Jee, learned counsel for the respondent accepts notice This is a digitally signed order.

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16. Similarly, learned counsel for the appellant seeks, and is granted a period of four weeks to file a rejoinder/ written statement.

17. List before Joint Registrar for completion of pleadings on 27.11.2024.

18. Renotify on 07.10.2024.

I.A. 37535/2024-Stay

19. Since the cause of action in the present suit first arose in December, 2022 and the patent involved was granted on 26.03.2010, issue notice.

20. Mr. Govind Jee, learned counsel for the respondent accepts notice and seeks, and is granted a period of two weeks to file a reply. Rejoinder thereto, if any, be filed within a period of one week.

21. List before Joint Registrar for completion of pleadings on 27.11.2024.

22. Renotify on 07.10.2024.

SAURABH BANERJEE, J AUGUST 28, 2024/rr This is a digitally signed order.

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