

# Google Llc vs Drs Logistics (P) Ltd. & Ors on 4 February, 2022

Author: Rajiv Shakdher

Bench: Rajiv Shakdher, Talwant Singh

\$~16 and 27

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ FA0(OS) (COMM) 2/2022  
GOOGLE LLC

.....Appel

Through: Mr Sandeep Sethi, Sr. Advocate with  
Mr Neel Mason, Mr Vihan Dang,  
Vennela Reddy, Mr R. Ramya, Ms  
Aditi Umapathy, Mr  
Bhardwaj and Mr Pdarva Khare,  
Advs.  
Mr Rajiv K Virmani, Sr Adv also  
with Ms Sangeeta Goel, Adv for  
Global Car Group Ltd.

versus

DRS LOGISTICS (P) LTD. & ORS

.....Respo

Through: Mr Chander M. Lall, Sr. Advocate  
with Ms. Nancy Roy, Ms. Ananya  
Chug, Ms Payal Kalhan, Jeevesh  
Nagrath and Ms Prakriti Varshn  
Advocates for respondents no.1  
Mr Arun Kathpalia, Sr. Advocat  
with Mr Saransh Jain, Ms Shlok  
Mr Shaurya R. Rai and Ms Bani  
Advocates for respondent no.3.  
Kshitij Parashar, Adv. for res  
no.4.

FA0(OS) (COMM) 22/2022

GOOGLE INDIA PRIVATE LIMITED

.....Appella

Through: Mr Arun Kathpalia, Sr. Advocate  
with Mr Saransh Jain, Ms Shloka  
Mr. Shaurya R. Rai and Ms Bani  
Brar, Advocates for respondent

versus

DRS LOGISTICS PVT LTD & ORS.

.....Respond

Through: Mr Chander M. Lall, Sr. Advocate  
with Ms. Nancy Roy, Ms. Ananya  
Chug, Ms. Payal Kalhan, Jeevesh

FA0(OS) (COMM) 2/2022 and connected

page

Signature Not Verified  
Digitally Signed  
By:VIPIN KUMAR RAI

Signing Date: 08.02.2022  
17:34:32

Nagrath and Ms. Prak  
Advocates for respond  
Mr Sandeep Sethi, Sr.  
Mr Neel Mason, Mr Vih  
Vennela Reddy, Mr R.  
Aditi Umapathy,  
Bhardwaj and Mr Parva  
Advocates for respond  
Mr Kshitij Parashar,  
respondent no.4.

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MR JUSTICE TALWANT SINGH

ORDER

% 04.02.2022 [Court hearing convened via video-conferencing on account of COVID-19] CM APPLs. 492/2022, 495-96/2022 in FAO(OS) (COMM) 2/2022 CM APPLs. 5880-81/2022 and 5883/2022 in FAO(OS) (COMM) 22/2022

1. Allowed, subject to just exceptions.

CM APPL. 5808/2022 in FAO(OS) (COMM) 2/2022

2. This is an application moved by an entity going by the name Global Car Group Ltd to seek leave to intervene in the main matter.

3. Mr Rajiv K. Virmani, learned senior counsel, who appears for the applicant, says that the said entity i.e., Global Car Group Ltd has filed a suit on the original side of this court; which is pending adjudication. 3.1 According to Mr Virmani, the issue which arises for consideration in the present appeal will, perhaps, also arise for consideration in the suit. 3.2 We are told that the issues have not been framed in the suit, as yet.

4. In our view, there is already a judgment of the learned single judge, which is impugned in the above-captioned appeals pending adjudication FAO(OS) (COMM) 2/2022 and connected page 1 of 3 before us, and therefore, bearing in mind this aspect, the above-captioned application need not be entertained as the issues that intervenor seeks to profess stand more or less crystallised.

4.1 In our view, if we were to entertain interveners who have filed various actions, it would lead to a situation where managing these appeals would become difficult.

4.2 We would, in any case, have the benefit of assistance of learned senior counsels, who are appearing in the above-captioned appeals.

5. The intervention application is, accordingly, closed. CM APPL. 5884/2022 in FAO(OS) (COMM) 22/2022

6. This is an application filed by the applicant/appellant for condonation of delay.

6.1. The delay involved, we are told, is 26 days.

7. Counsel for the non-applicants/respondents say that they do not wish to oppose the prayer made in the above-captioned application.

8. Accordingly, the delay is condoned.

9. The application is, accordingly, disposed of. CM APPL. 493/2022 in FAO(OS) (COMM) 2/2022  
CM APPL. 5882/2022 in FAO(OS) (COMM) 22/2022

10. These are applications moved on behalf of the appellant seeking issuance of direction from the Court to summon the suit record.

11. The prayer made in the above-captioned applications is allowed.

12. The Registry will place the suit record in the above-captioned matters, before us, albeit, in digital format. The record shall be duly paginated and indexed.

FAO(OS) (COMM) 2/2022 and connected page 2 of 3 FAO(OS) (COMM) 2/2022 & CM APPLs. 491/2022, 494/2022 [Applications filed on behalf of the appellant for interim relief and for taking additional documents on record] FAO(OS) (COMM) 22/2022 & CM APPL. 5879/2022 [[Application filed on behalf of the appellant for interim relief]

13. Issue notice to the respondents.

13.1. Ms Nancy Roy accepts notice on behalf of the respondent nos.1 and 2, while Mr Saransh Jain accepts notice on behalf of respondent no.3. Likewise, Mr Kshitij Parashar accepts notice on behalf of respondent no.4. 13.2. Reply(ies) will be filed, within the next two weeks. 13.3. Rejoinder(s) thereto, if any, will be filed before the next date of hearing.

14. Counsel for the parties will also file their respective written submissions, not exceeding three pages each, at least five days before the next date of hearing.

15. List the above-captioned appeals on 02.03.2022.

RAJIV SHAKDHER, J TALWANT SINGH, J FEBRUARY 4, 2022 /tr Click here to check corrigendum, if any FAO(OS) (COMM) 2/2022 and connected page 3 of 3