

Dr.Reddy'S Laboratories Limited vs Eros International Media Limited And ... on 19 March, 2021

Author: Sanjeev Narula

Bench: Sanjeev Narula

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 126/2021

DR.REDDY'S LABORATORIES LIMITED

..... Plain

Through: Mr. Chander Lall, Senior Advocate
with Mr. Raman Narula, Mr. Shashi
P. Ojha and Ms. Nancy Roy,
Advocates.

versus

EROS INTERNATIONAL MEDIA LIMITED AND ANR.

..... Defend

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. Neel Mason, Ms. Ridhima
Pabbi and Ms. Ekta Sharma,
Advocates for D-1 and D-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA
ORDER

% 19.03.2021 I.A. 4239/2021 (for exemption)

1. Exemption allowed, subject to all just exceptions.

2. The application stands disposed of.

I.A. 4240/2021 (for exemption from serving the Defendant No.2)

3. Mr. Neel Mason, learned counsel for Defendant No. 1 states that he has received telephonic instructions to appear on behalf of Defendant No. 2.

4. Let vakalatnama be filed.

5. In view of the above terms, the application stands disposed of. I.A. 4238/2021 (u/O XI Rule 1(4) CPC for filing additional documents)

6. By way of this application, relief is sought file additional documents under the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015

[hereinafter referred to as 'Commercial Courts Act'].

7. The Plaintiff, if they wish to file additional documents at a later stage, shall do so strictly as per the provisions of the Commercial Courts Act.

8. The application is allowed in the above terms.

9. Accordingly, the application stands disposed of. CS(COMM) 126/2021

10. Let the plaint be registered as a suit.

11. Issue summons. Mr. Neel Mason accepts summons for Defendant Nos. 1 and 2. The written statements be filed within 30 days from today. Along with the written statements, the Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiff, without which the written statements shall not be taken on record.

12. Liberty is given to the Plaintiff to file a replication within 15 days of the receipt of the written statements. Along with the replication, if any, filed by the Plaintiff, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiff, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

13. List before the Joint Registrar for marking of exhibits on 10th May, 2021. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

14. List before Court for framing of issues thereafter.

I.A. 4237/2021 (u/O XXXIX Rules 1&2 CPC for seeking interim relief)

15. Issue notice. Mr. Neel Mason accepts notice on behalf of Defendant Nos. 1 and 2.

16. The parties are directed to file their brief notes of submissions not exceeding three pages, by tomorrow and exchange the copies, thereof.

17. Mr. Chander Lall and Mr. Sandeep Sethi, Senior Counsels have been heard extensively. Order reserved.

SANJEEV NARULA, J MARCH 19, 2021 nd