

12 CS (COMM.) 286/25 NIF PRIVATE LIMITED Vs. SR TEA BASKET PVT. LTD. AND ORS.

07.07.2025

Present : Sh. Arpit Pundir, Ld. counsel for plaintiff.
Sh. Rishabh Panchal, Ld. counsel for defendant nos. 1 and 2.
None for defendant no.3.

Memo of appearance on behalf of defendant nos. 1 and 2 filed.

Affidavit of Court Clerk Sandeep Sah regarding compliance of order XXXIX Rule 3 of CPC, 1908 is filed on behalf of plaintiff.

As per affidavit, the complete set of paperbook was served, through speed post, however, only the copy of postal receipts is annexed with it and tracking report is not filed.

Report of Local Commissioner received qua defendant no.3.

As per the report of Ld. Local Commissioner, he has seized all the infringed items and made the inventory of the same. All the bags were already filled with tea bags and tea packets (infringed items), therefore, they were kept serial-wise for the purpose of seizure and were sealed accordingly.

Ld. counsel for defendant nos. 1 and 2 seeks time to file vakalatnama and written statement along with reply to application under Order XXXIX Rules 1 and 2 CPC. He further seeks time to take instructions regarding the appearance on behalf of defendant no.3.

:: 2 ::

Written statement be filed within stipulated period. Alongwith the written statement, the defendant nos. 1 and 2 shall also file any affidavit of admission/denial of documents of the plaintiff, without which, the written statement shall not be taken on record.

Phone numbers and email exchange for their facilitation.

Liberty is given to the plaintiff to file replication within 30 days of receipt of the written statement. Alongwith replication, if any, filed by the plaintiff, an affidavit of admission/denial of documents of defendant nos. 1 and 2 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.

List this matter for completion of pleadings, admission/denial of documents and marking of exhibits of documents on **13.10.2025**.

Interim order to continue.

(HEMANI MALHOTRA)
District Judge (Commercial Court-03)
PHC / New Delhi / 07.07.2025