



\$~26

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 84/2025, I.A. 2537/2025, I.A. 6055/2025, I.A. 10127/2025 & CRL.M.A. 23117/2025**

ALKEM LABORATORIES LIMITEDPlaintiff

Through: Mr. Darpan Wadhwa, Senior Advocate with Ms. Tusha Malhotra, Ms. R. Ramya, Ms. Rea Bhalla & Mr. Amir Vaid, Advs.

versus

PREVEGO HEALTHCARE AND RESEARCH PVT LTDDefendant

Through: Ms. Arundhati Katjo, Senior Advocate with Mr. Siddharth Praveen Acharya, Mr. Lakshay Sharma, Mr. Udit Malik and Ms. Ritika Meena, Advocates

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

%

08.08.2025

IA No.10127/2025

1. This is an Application on behalf of the Defendant for filing additional documents.
2. The learned Senior Counsel for the Defendant submits that the reason for non-production of the documents at the earlier stage was because these documents pertain to prosecution history of the Trade Marks on which Plaintiff has relied upon in the Suit and the same pertain to third party Trade Marks that have allegedly been concealed in the Suit by the Plaintiff.
3. In view of the same, the Defendant wishes to file the following documents:

Document A: Prosecution history details of Plaintiff's Trade Marks.



Document B: Trade Marks registry search for marks “A to Z” filed before 2004 under Class 29, 30 and 5.

4. Issue Notice.
 5. The learned Counsel for the Plaintiff accepts Notice.
 6. The learned Senior Counsel for the Plaintiff submits that the Plaintiff has objection for taking these documents on record and would like to file a Reply as the Replication has already been filed and these documents although were available at the time of filing the Written Statement, the same were not filed along with the Written Statement.
 7. Considering that this Court had allowed the application being IA No.17558/2025 filed for early hearing of IA No.2537/2025 filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (“CPC”) and IA No.6055/2025 filed under Order XXXIX Rule 4 of the CPC by directing the matter to be heard on 08.08.2025 and these documents being *prima facie* relevant and necessary for determining these Applications, these documents are taken on record with liberty to the Plaintiff to file additional documents and a note with regard to these documents within a period of two weeks from date.
 8. The Application is disposed of.
- CS(COMM) 84/2025**
9. List for further hearing on 26.08.2025 at 4:00 PM.

TEJAS KARIA, J

AUGUST 8, 2025

‘gsr’