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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 95/2022 & I.A. 2757/2022 (O-XXXIX R-1 & 2 of CPC), I.A. 2758/2022 (u/S 80(2) CPC), I.A. 3125/2022 (O-XXXIX R-1 & 2 of CPC), I.A. 3591/2022 (O-XXXIX R-1 & 2), I.A. 6772/2022 (O-XXXIX R-1 & 2 of CPC)

DR. VIKRAM SAMPATH

..... Plaintiff

Through: Mr. Raghav Awasthi and Mr. Mukesh Sharma, Advocates.

versus

DR. AUDREY TRUSCHKE & ORS.

..... Defendants

Through: Mr. Jawahar Raja with Mr. Archit Krishan, Ms. Varsha Sharma and Mr. Moksha Sharma, Advocates for D-2.

Ms. Vrinda Grover with Mr. Prasanna S., Mr. Soutik Banerjee, Ms. Mannat Tipnis, Ms. Devika Tulsiani, Ms. Swati Arya and Mr. Yuvraj Singh Rathod, Advocates for D-3.

Mr. Saransh Jain with Mr. Ankit Agarwal and Ms. Shloka Narayanan, Advocate for D-4/Twitter Inc.

Ms. Kunjala Bhardwaj, Proxy counsel for Mr. Kirtiman Singh, CGSC.

Mr. Gauhar Mirza with Mr. Thejesh R. and Mr. Tejpal Singh Rathore, Advocates for D-6/Meta Platforms Inc.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

11.10.2022

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I.A. 16460/2022 (of the defendant no.4 for condonation of delay of 94 days in filing WS)

1. The present application has been filed under Order VIII Rule 1 of the Code of Civil Procedure, 1908 (CPC) on behalf of the defendant no.4 seeking condonation of delay in filing the written statement.
2. The application is not opposed by the counsel for the plaintiff.
3. For the reasons stated in the application, the same is allowed and the written statement filed on behalf of the defendant no.4 is taken on record.
4. The application stands disposed of.

I.A. 16448/2022 (of the defendant no.3 u/O-XXXIX R-4 of CPC), I.A. 16449/2022 (of the defendant no.3 u/O-VII R-11 of CPC) & I.A. 16450/2022 (of the defendant no.3 u/O-VII R-10 of CPC)

5. Issue notice.
6. Notice is accepted on behalf of the counsel for the plaintiff.
7. Reply be filed within four weeks.
8. Rejoinder thereto, if any, be filed within two weeks thereafter.
9. List on 30th January, 2023.

I.A. 16512/2022 (O-VII R-14 of CPC)

10. By way of the present application, the plaintiff seeks to place on record an undated communication from one Nostrum Pharmaceuticals.
11. Without going into the evidentiary value of the said communication, the same is permitted to be taken on record.
12. The application stands disposed of.

I.A. 16513/2022 (for VC hearing)

13. For the reasons stated in the application, the same is allowed.
14. The application is disposed of.



I.A. 16492/2022 (u/S 75 r/w 151 of CPC)

15. Counsel for the plaintiff seeks to withdraw the present application with liberty to file an appropriate application in this regard at a subsequent point of time.

16. The application is dismissed as withdrawn with the aforesaid liberty.

CS(OS) 95/2022

17. Last opportunity of two weeks is given to the plaintiff to file affidavit of admission/denial of the documents.

18. List before the Joint Registrar on 17th November, 2022 for admission/denial of the documents.

19. Counsel for the newly impleaded defendant no.6 submits that the defendant no.6 has not been supplied with the complete set of plaint. Let the same be supplied positively within one week from today.

20. Written statement be filed as per the statutory time period.

21. The registry is directed to put all the disposed of applications in a separate folder.

AMIT BANSAL, J.

OCTOBER 11, 2022
at