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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(COMM) 108/2021, CRL.M.A. 7863/2022**

**VICTORIA FOODS PRIVATE LIMITED** ..... Plaintiff  
Through: Mr. Rohit Gandhi, Mr. Adhish  
Srivastava and Mr. Hargun Singh  
Kalra, Advocates. (M:9818610321)

versus

**RAJDHANI MASALA CO. & ANR.** ..... Defendants  
Through: Mr. Sajad Sultan and Mr. Ankur  
Singhal, Advocates.  
Mr. Anuj Aggarwal, ASC with Ms.  
Ayushi Bansal, Mr. Sanyam Suri and  
Ms. Arshya Singh, Advocates for  
GNCTD (M: 9891363718).  
Mr. Anurag Ahluwalia, CGSC with  
Mr. Danish Faraz Khan, Advocate  
(M: 9811418995).  
Mr. Rakesh Chaudhary and Mr.  
Sushaar Chaudhary, Advocates for  
FSSAI (M: 9811188090).

**CORAM:**  
**JUSTICE PRATHIBA M. SINGH**

**ORDER**  
% **21.11.2022**

1. This hearing has been done through hybrid mode.

**CAV 4/2021**

2. The Caveator has entered appearance. Accordingly, the caveat is discharged.

**CS(COMM) 108/2021, CRL.M.A. 7863/2022**

3. Vide previous order dated 2nd August, 2022, this Court heard the applications under Order XXXIX Rule 2A CPC, and issued the following directions:



*“24. In view of the conduct of the Defendants, coupled with mitigating factors set out above, this Court accepts the unconditional apologies tendered by the Defendants subject to compliance of the following directions:*

*i. The Defendants shall pay a sum of Rs. 30,00,000/- as costs which the Plaintiff has incurred towards legal fees and pursuing the contempt applications, as also, in paying the fees of the Local Commissioners, engaging of seven vehicles for transporting the goods seized by the Local Commissioner on superdari, retaining warehouses to store the same, and engaging manpower in the said warehouses. The said amount of Rs.30,00,000/- shall be paid to the Plaintiff, on or before 15th September, 2022.*

*ii. Out of the costs of Rs.30,00,000/- as set out in (i) above, Rs. 10,00,000/- shall be paid, within a week, subject to which the factory premises of the Defendants, situated at B-34, Lawrence Road, Industrial Area, Delhi-110035, shall be de-sealed after the said payment is made.*

*iii. In addition, the Defendants shall deposit a sum of Rs.25,00,000/- in the Prime Minister's National Relief Fund, on or before 15th November, 2022.*

*iv. Finally, a sum of Rs.20,00,000/- shall be deposited with the worthy Registrar General of this Court, on or before 15th January, 2023. The said amount shall be retained in a fixed deposit on auto-renewal mode, and shall be subject to the final decision in the present suit.”*

4. Costs of Rs.30,00,000/- is stated to have been received by the



Plaintiff. Insofar as the direction for deposit of Rs. 25,00,000/- to the Prime Minister's National Relief Fund, on or before 15th November, 2022, is concerned, Mr. Ankur Singhal, Id. Counsel for the Defendants submits that the amount has been transferred. Let the receipt in respect of the said deposit be filed by Id. Counsel for the Defendants with the Registry within one week and be brought on record.

5. As recorded in the previous order dated 2nd August, 2022, the *masalas* which were seized by the Local Commissioner and were fit for human consumption, had been supplied to *Gurdwara Rakab Ganj Sahib*. Insofar as chicken and meat masala are concerned, the same was to be supplied to other religious institutions, such as the *Nizamuddin Dargah*, within one week. Today, Mr. Aggarwal, Id. ASC for GNCTD, submits that the same have been distributed at the *Nizamuddin Dargah*.

6. In light of the above, it is made clear that GNCTD and FSSAI/Union of India need not to appear in this matter henceforth. The remaining direction for deposit of Rs. 20 lakhs by 15<sup>th</sup> January 2023, shall however be complied with by the Defendants, in terms of the order dated 2<sup>nd</sup> August 2022.

7. List before the Joint Registrar for admission and denial of documents on 11<sup>th</sup> January, 2023.

8. List before the Court for case management and framing of issues on 6<sup>th</sup> February, 2023.

9. This shall not be treated as a part-heard matter.

**PRATHIBA M. SINGH, J.**

**NOVEMBER 21, 2022**  
**MR/AD**