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

+ **CS(COMM) 522/2022**

**HIMALAYA GLOBAL THROUGH ITS
PARTNERS ASHISH JAISWAL SAMBHAV
KHANDELWAL ANUJ JAISWAL**

..... Plaintiff

Through: Mr. J. Sai Deepak, Mr. Mohit Goel,
Mr. Sidhant Goel, Mr. Abhishek Kotnala,
Ms. Jyoti Goyal and Mr. Abhishek R., Advocates.

versus

**VISHAL AHUJA TRADING AS
VISHAL LAMINATES & ORS.**

..... Defendants

Through: Mr. Junaid Alam and Mr. Nishant M.,
Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
01.08.2022

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I.A. 11990/2022 (Exemption)

1. Subject to the Plaintiff filing originals/certified copies, clearer copies, translated copies and documents with proper margins, which it may seek to place reliance on, within four weeks from today, exemption is granted.
2. Application is allowed and disposed of.

I.A. 11989/2022 (Additional documents)

3. Present application has been preferred on behalf of the Plaintiff seeking leave to file additional documents under Order 11 Rule 1(4) CPC.
4. Plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of the Commercial Courts Act, 2015.
5. Application is allowed and disposed of.

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6. Let the plaint be registered as a suit.
7. Issue summons.
8. Mr. Junaid Alam, learned counsel enters appearance on behalf of the Defendants.
9. Written statement be filed by the Defendants within 30 days from today along with affidavit of admission/denial of the documents filed by the Plaintiff.
10. Replication thereto be filed by the Plaintiff within 15 days of receipt of the written statement along with an affidavit of admission/denial of the documents filed by the Defendants.
11. If any of the parties wish to seek inspection of any documents, the same shall be sought and done within the prescribed timelines.
12. List before the learned Joint Registrar on 18.10.2022.

I.A. 11988/2020 (under Order 39 Rules 1 and 2 CPC, by Plaintiff)

13. Present application has been preferred by the Plaintiffs under Order 39 Rules 1 and 2 read with Section 151 of the Code of Civil Procedure 1908 for grant of an *ex-parte ad-interim* injunction.
14. Issue notice.
15. Mr. Junaid Alam, learned counsel accepts notice on behalf of the Defendants.
16. Reply be filed within a period of two weeks from today.
17. Rejoinder, if any, be filed within one week thereafter.
18. Learned counsel appearing on behalf of the Defendants submits that Defendants be permitted to execute the existing orders and makes a



statement, on instructions, that no fresh orders will be accepted, till the next date of hearing.

19. The Defendants shall, on affidavit, disclose the accounts of the sales till date with respect to the impugned products. The affidavit shall be filed within a period of one week from today.

20. In the meantime, Defendants are permitted to sell the existing stocks and execute existing orders, but they shall not accept any fresh orders till the next date of hearing.

21. List on 25.08.2022 before Court.

JYOTI SINGH, J

AUGUST 01, 2022/rk