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

+ **CS(COMM) 483/2025**

HONASA CONSUMER LIMITED

.....Plaintiff

Through: Mr. Chander M. Lal, Sr. Advocate
with Mr. Peeyoosh Kalra, Ms. V.
Mohini, Mr. Udayvir Rana, Ms.
Aarti Aggarwal and Ms. Ananya
Mehan, Advocates.

versus

CLOUD WELLNESS PRIVATE LIMITED & ANR.....Defendants

Through: Mr. Harshit Tolia, Sr. Advocate
with Mr. Rahul Khandelwal,
Advocate (Through VC) and Mr.
Sitesh Narain, Advocate.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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15.05.2025

I.A. 12478/2025 (*Extension of time for filing Court fee*)

1. Vide the present application, under *Section 151* of the Code of Civil Procedure, 1908 (**CPC**), the plaintiff seeks three weeks' time for filing the requisite Court fee and one-time process fee.
2. The application is, for the reasons stated therein, allowed, however, appellant is granted time of one week to file the requisite Court fee and one-time process fee.
3. Accordingly, the application stands disposed of.

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I.A. 12477/2025 (*Exp from pre litigation mediation*)

4. *Vide* the present application under *Section 12A* of the Commercial Courts Act, 2015, read with *Section 151* of the Code of Civil Procedure, 1908 (**CPC**), the plaintiff seeks exemption from pre-litigation mediation.

5. Considering the averments made in the present application, as also since the plaintiff is seeking *ex parte ad interim* injunction in an accompanying application, and in view of the judgment passed by the Hon'ble Supreme Court in ***Yamini Manohar v. T.K.D. Krithi*** 2024 (5) SCC 815, which has been followed by a Division Bench this Court in ***Chandra Kishore Chaurasia v. R. A. Perfumery Works Private Limited*** 2022:DHC:4454-DB, the plaintiff is exempted from instituting pre-litigation mediation.

6. Accordingly, the present application stands disposed of.

I.A. 12476/2025 (*Additional Documents*)

7. *Vide* the present application under *Order XI Rule 1(4)* read with *Section 151* of the CPC, the plaintiff seeks leave of this Court to file additional documents.

8. The plaintiff will be at liberty to file additional documents at a later stage, *albeit*, after initiating appropriate steps, strictly as per the provisions of the Commercial Courts Act, 2015 read with *Section 151* of the CPC and the Delhi High Court (Original Side) Rules, 2018.

9. Accordingly, the present application stands disposed of.

I.A. 12475/2025 (*Exemption from filing original documents*)

10. By virtue of the present application, petitioner seeks exemption from filing original documents with liberty to file the same post-notice stage.

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11. For the reasons stated in the present application, the same is allowed and the plaintiff is granted liberty to file original documents at a belated stage, in accordance with law.

12. The application is disposed of.

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13. The plaintiff, *vide* the present plaint seeks grant of permanent injunction against the defendants for infringement of its copyright, passing off, damages along with other ancillary reliefs.

14. Let the plaint be registered as a suit.

15. Issue summons.

16. Learned counsel for the defendants appearing on advance service accepts summons.

17. Written statement(s) be filed by the defendants within a period of *thirty days* from today. Written statement(s) be filed by the defendant along with affidavit(s) of admission/ denial of documents of the plaintiff, without which the written statement(s) shall not be taken on record.

18. Replication(s) thereto, if any, be filed by the plaintiff within a period of *fifteen days* from the date of receipt of written statement(s). The said replication(s), if any, shall be accompanied by with affidavit(s) of admission/ denial of documents filed by the defendants, without which the replication(s) shall not be taken on record within the aforesaid period of *fifteen days*.

19. If any of the parties wish to seek inspection of any document(s), the same shall be sought and given within the requisite timelines.

20. List before the learned Joint Registrar for marking exhibits of documents on 18.08.2025. It is made clear that if any party unjustifiably

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denies any document(s), then it would be liable to be burdened with costs.

I.A. 12474/2025 (*Stay*)

21. *Vide* the present application under *Order XXXIX Rule 1 and 2* of the CPC, the plaintiff seeks grant of interim relief against the defendants.

22. Issue notice.

23. Learned counsel appearing for the defendants appearing on advance service, accepts notice.

24. He seeks and is granted *seven days* to file reply(ies). Rejoinder(s) thereto, if any, be filed within a period of *three days* thereafter.

25. Furthermore, this Court directs the defendants to also file statement of books of accounts of all the sales made by them with respect to the packaging involved in the present suit as also the details of the bilty(ies) showing transport of the materials by them.

26. Renotify before the Court on 28.05.2025.

SAURABH BANERJEE, J

MAY 15, 2025/NA