



\$~18

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 382/2019 & CC(COMM) 27/2019, I.As. 10142/2019, 15349/2019, 2077/2020, 4851/2023, 12810/2023**

ENCONCORE N.V. Plaintiff

Through: Mr. Hemant Singh, Advocate.

versus

ANJANI TECHNOPLAST LTD. & ANR. Defendants

Through: Ms. Vibha Makhija, Senior Advocate with Mr. Karan Mamgain and Mr. Digvijay Prasad, Advocates.
Ms. Nidhi Raman, CGSC with Mr. Zubin Singh, Advocate with B.V. Madhu Mohan Reddy, Scientist- F, DRDL, DRDO.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
25.04.2024

%

1. Ms. Nidhi Raman, CGSC representing DRDO, has handed over a copy of the report prepared in terms of the directions issued by this Court on 4th August, 2023. The said report has been handed over across the board in a sealed cover, which has been opened and perused by the Court.
2. The report mentions that as per the directions issued by this Court, a committee comprising of Senior Scientists and Engineers of DRDO was constituted to inspect and report on the Pressurized Missile Containers ("PMC") of the Defendants. The Committee has inspected the PMC at Bharat Dynamics Limited ("BDL") at the Defendants' facility at Noida. On



the basis of their findings, the total surface area of the honeycomb panels used in the PMC supplied by the Defendants so far to DRDO and BDL projects, is 55351.87 sq. mtrs. Further, report also mentions that the surface area of honeycomb panel used for PMC 1 and PMC 2 is 27.44 sq. mtrs. and 10.75 sq. mtrs. respectively.

3. The copy of the report presented to the Court has also been filed in a sealed cover with the Registry. Accordingly, after perusal of the report, the same has been returned to Ms. Nidhi Raman.

4. Mr. Hemant Singh, counsel for the Plaintiff, as well as Ms. Vibha Makhija, Senior Counsel for the Defendants, state that in light of the information shared in the report noted above, they shall now make further submissions on the next date of hearing. The parties are also directed to file joint schedule of documents and the Defendants shall file an affidavit as directed in Paragraph No. 27(2) of order dated 4th August, 2023.

5. In the meantime, since both the counsel for parties request for the report to be shared with them, Ms. Raman states that she will take instructions as to whether there is any confidentiality issue which prevents disclosure of such information.

6. The presence of the experts from DRDO is dispensed with, subject to further orders.

7. List this matter before the Joint Registrar for the purpose of admission/ denial and for marking of exhibits in terms of admission/ denial filed by them on 4th July, 2024.

8. List this matter before the Court for case management on 7th August, 2024.

9. On the said date, the counsel for parties shall also carry their proposed



issues and exchange copies thereof with each other prior to the next date of hearing.

SANJEEV NARULA, J

APRIL 25, 2024

as