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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 461/2024**
DOMINOS IP HOLDER LLC & ANR.

.....Plaintiff

Through: Ms. Imon Roy (VC), Advocate

versus

M/S DOMIND PIZZA & ORS.

.....Defendant

Through: Mr. Sarthak Sharma, Advocate
for D-8.

CORAM:
JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

ORDER

% **18.03.2025**

1. The suit has been decreed against defendants no. 1 to 4 vide order dated 29.10.2024.
2. Compliance affidavit has been filed on behalf of defendant no. 9. Ld. Counsel for defendant no. 8 submits that the order dated 22.10.2024 records affidavit of compliance having been filed on behalf of defendant no. 8. However, ld. Counsel has clarified that although they have complied with the Hon'ble Court's directions, no compliance affidavit was filed since there was no direction to file a compliance affidavit. Submission is noted for records.
3. Written statement on behalf of defendant no. 9 is on record. No replication thereto is required to be filed.
4. No written statement is to be filed on behalf of defendant no. 8.
5. Plaintiff was directed to take fresh steps for service of defendants no. 5 to 7. It needs a highlight that that defendants no. 5 to 7 are alleged infringers of the IP rights of the plaintiff



company and all three defendant entities are controlled by same person i.e. Mr. Vimal Kr. Trivedi. As per the affidavit of service, defendants no. 5 & 7 have been served with summons sent through courier, on 26.11.2024. It needs a highlight that address of defendant no. 6 is the same as that of defendant no. 7 and the only difference between the particulars of defendant no. 6 and defendant no. 7 is of the FSSAI number. Consequently, defendant no. 6 is also deemed to have been served. However, the maximum permissible period for defendants no. 5 to 7 to file a written statement has yet not expired.

6. Ld. Counsel for the plaintiff submits that appearance of the counsel for the plaintiff was incorrectly recorded in the order dated 13.12.2024 in as much as the presence of Mr. Sarthak Sharma has been recorded in the order as appearing for the plaintiff when infact, Mr. Sarthak Sharma is appearing for defendant no. 8 in the present matter. Ms. Imon Roy, ld. Counsel for the plaintiff further submits that she had appeared on 13.12.2024 also. The submission is noted for records.

7. Put up for completion of pleadings on 02.05.2025.

Dr. AJAY GULATI
(DHJS),
JOINT REGISTRAR (JUDICIAL)

MARCH 18, 2025/sk

[Click here to check corrigendum, if any](#)