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

+ **CS(COMM) 497/2024, I.A. 31289-31294/2024**

MS TWENTY FOUR SYSTEMS PVT LTD Plaintiff

Through: Mr. Abhimanyu Bhandari, Ms.
Kartika Sharma, Ms. Namisha
Gupta, Ms. Vanshita Gupta, Ms.
Tanya Agarwal, Ms. Akshaya,
Advocates.

versus

IDRESS AHAMAD Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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30.05.2024

I.A. 31291/2024 (for exemption)

The application for exemption is allowed, subject to the plaintiff granting inspection of the documents filed, as and when required to do so, or filing the original documents at the stage of admission/denial.

The application stands disposed of.

I.A. 31294/2024 (for extension of time to file court fee)

Learned counsel for the plaintiff submits that court fee has been paid.

The application stands disposed of as infructuous.

I.A. 31292/2024 (exemption from advance service) & I.A. 31293/2024 (exemption from pre-institution mediation and settlement)



Having regard to the nature of the interim relief sought, these applications are allowed.

CS(COMM) 497/2024

1. The plaint be registered as a suit. Issue summons to the defendant by all permissible modes on filing of process fee. Dasti service in addition is permitted. Affidavit of service be filed within one week from today.
2. The summons shall indicate that written statement must be filed within thirty days from the date of receipt of summons. The defendant shall also file affidavits of admission/denial of the documents filed by the plaintiff, failing which the written statement shall not be taken on record.
3. The plaintiff is at liberty to file replication thereto within thirty days after filing of the written statement. The replication shall be accompanied by affidavits of admission/denial in respect of the documents filed by the defendant, failing which the replication shall not be taken on record.
4. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
5. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.
6. List before the Joint Registrar on 29.07.2024 for completion of service and pleadings, admission/denial of documents and marking of exhibits.
7. List before the Court on 22.08.2024.

I.A. 31289/2024 (for injunction) & I.A. 31290/2024 (for appointment of LC)



1. Issue notice of these applications. Notice may be served upon the defendant by all permissible modes. *Dasti* service, in addition, is permitted. Affidavit of service be filed within one week from today.
2. The defendant was an employee of the plaintiff, which is engaged in the business of providing security services. The defendant was holding the post of Senior Manager, Operations of the plaintiff - company at the time his services were terminated on 26.05.2021.
3. It is the contention of the plaintiff that, contrary to the terms of his employment, including a Non-Disclosure Agreement dated 01.04.2018, the defendant has disseminated confidential information, trade secrets, business plans and data relating to the plaintiff's business to third parties, including to one Mr. Mohit Kumar Gupta, who was a sub-contractor of the plaintiff and is now a competitor of the plaintiff. The plaintiff claims that the defendant's conduct includes issuance of a completion certificate with regard to a tender issued by a public sector organisation although the work was not complete, sending revised billing schedules to clients of the plaintiff, and that the defendant has received letters of award of tenders from customers of the plaintiff behind the plaintiff's back.
4. Mr. Abhimanyu Bhandari, learned counsel for the plaintiff, states that the defendant's conduct has been enabled *inter alia* by forwarding e-mails received by him on his official email id [ldrees@24systems.in] to his personal email id [ldrees.ahamad@gmail.com].
5. For the present, Mr. Bhandari seeks a limited *ad-interim* order, to the effect that the defendant be restrained from deleting any emails on his personal email id which have been forwarded from his erstwhile official email id, or deleting any emails by which he forwarded those emails to



any other person. Mr. Bhandari submits that such an order is necessary to ensure that evidence is not tampered with during the course of these proceedings.

6. Having regard to the aforesaid facts, the plaintiff has made out a *prima facie* case in his favour. The balance of convenience is also in favour of such an interim order being passed. I am satisfied that the plaintiff would suffer irreparable loss and injury, if the defendant is not restrained in the manner sought.

7. The defendant is therefore restrained, until the next date of hearing, from deleting any content in his personal email id [idrees.ahamad@gmail.com] which has been forwarded from his official email id [idrees@24systems.in], or from deleting any email by which those emails were forwarded to any other party.

8. Provisions of Order XXXIX Rule 3 of the Code of Civil Procedure, 1908, be complied with within one week from today. Affidavit of compliance be filed within three days thereafter.

9. The defendant will be at liberty to apply for variation, vacation or modification of this order, if necessary.

10. Replies to the applications may be filed within four weeks. Rejoinder thereto, if any, may be filed within two weeks thereafter.

11. List on 22.08.2024.

PRATEEK JALAN, J

MAY 30, 2024
“Bhupi”/