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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 559/2021 & I.A. 14487/2021, I.A. 14488/2021, I.A.
10991/2022

CIPLA LIMITED

.....Plaintiff

Through: Ms. Archana Sahadeva, and Mr.
Harshit Bhoi, Advocates.

versus

CONCEPT BIOSCIENCES INDIA PVT. LTD & ORS.

.....Defendants

Through: Ms. Nimisha Agarwal, Advocate

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
11.09.2024

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1. Ms. Nimisha Agarwal, Advocate has appeared on behalf of the official liquidator and submits that the defendant no. 1-Company is under liquidation.
2. She submits that the defendant no. 1-Company has no assets and that the manufacturing of the infringing goods, was stopped by defendant no. 1, way back in the year 2022 itself.
3. None appears for defendant nos. 2 to 7.
4. Learned counsel appearing for the plaintiff points out that none has appeared on behalf of defendant nos. 2 to 7, despite valid service.
5. Attention of this Court has been drawn to the affidavit of service dated 7th February, 2022, filed on behalf of plaintiff, wherein, it has



categorically been stated that all defendants stand served through speed post, couriers, and Email. Proof of service has been duly filed along with the said affidavit of service.

6. Accordingly, the defendant nos. 2 to 7, are proceeded ex-parte.

7. At this stage, learned counsel appearing for the plaintiff submits that they have found new evidence of infringing activity being done by defendant no. 1. She submits that she would be moving an appropriate application in that regard.

8. Per contra, Ms. Nimisha Agarwal, learned counsel appearing for the official liquidator of defendant no. 1-Company, submits that the defendant no. 1 is under the control and management of the official liquidator. Therefore, she submits that there cannot be any infringing activity by defendant no. 1.

9. Accordingly, re-notify on 20th November, 2024.

MINI PUSHKARNA, J

SEPTEMBER 11, 2024

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