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

+ **CS(COMM) 539/2025**

FINESSE INTERNATIONAL DESIGN PVT. LTDPlaintiff
Through: **Mr. Pravin Anand and Mr. Ashutosh Upadhyaya, Advocates.**

versus

ANUBHAV BEHLDefendant
Through: **Mr. Harish Malhotra, Senior Advocate with Mr Rajendra Aggarwal, Mr. Aayush Malhotra & Mr. Anup Kumar, Advocates.**

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
28.05.2025

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I.A. 13775/2025 (u/O XI Rule 1(4) of CPC, 1908)

1. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents under the Commercial Courts Act, 2015.
2. The plaintiff is permitted to file additional documents within thirty days in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.
3. Accordingly, the application is disposed of.

I.A. 13773/2025 (u/S 12-A of the Commercial Courts Act, 2015)

4. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in ***Yamini Manohar v. T.K.D. Krithi***, 2023



SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.

5. The application stands disposed of.

I.A. 13776/2025 (seeking time to file required certificate under Section 63(a)(c) of Bhartiya Sakshya Adhiniyam, 2023)

6. Counsel appearing on behalf of the plaintiff submits that the required Certificate under Section 63(4)(c) of Bhartiya Sakshya Adhiniyam, 2023 shall be filed within thirty (30) days from today.

6.1. The aforesaid statement of counsel is taken on record.

7. The application stands disposed of.

I.A. 13774/2025 (Order XI Rule 1, 3 and 5 of the CPC seeking discovery, production and inspection of the defendants' documents)

8. This application has been filed on behalf of the plaintiff under Order XI Rule 1, 3 and 5 of the CPC seeking discovery, production and inspection of the defendant's documents.

9. Issue notice to the defendant through all permissible modes, including e-mail.

10. Reply be filed within four (4) weeks from today.

11. Rejoinder thereto, if any, be filed within two (2) weeks thereafter.

12. List on 25th July, 2025.

CS(COMM) 539/2025 and I.A. 13772/2025 (u/O XXXIX Rules 1 and 2 of CPC, 1908)

13. The present suit has been filed seeking relief of permanent injunction, restraining the defendant from infringing the trademark and copyright of the plaintiff, passing off along with other ancillary reliefs.

14. The grievance of the plaintiff in the present suit is that the defendant



has been copying the plaintiff's original clothing designs, outfits and styles.

15. Mr. Harish Malhotra, counsel for the defendant submits that the defendant has exhausted the entire stock of the infringing products as described in paragraphs 48, 50 and 51 of the plaint.

16. He further submits that the defendant has no intention of copying the designs/ styles of the plaintiffs in the future.

16.1. The aforesaid statement is taken on record and the defendants shall be bound by the same.

17. The defendant shall file an affidavit stating the quantity as well as value of impugned outfits sold by the defendant including the particulars of the impugned outfits available with the defendant, if any. The said affidavit be filed within four (4) weeks from today.

18. List on 25th July, 2025.

AMIT BANSAL, J

MAY 28, 2025

At/kd