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

+ **CS(COMM) 567/2021**

**NOVATEUR ELECTRICAL &
DIGITAL SYSTEMS PVT LTD**

..... Plaintiff

Through: Mr. Hemant Singh, Ms. Mamta
Rani Jha, Mr. Shakti Nair and Ms. Pragya
Jain, Advs.

versus

V-GUARD INDUSTRIES LTD

..... Defendant

Through: Mr. Sachin Gupta, Ms. Yashi
Agrawal and Mr. Lokesh Dhaka, Advs.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

03.02.2023

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I.A. 2117/2023 (Order XXXIX Rules 1 and 2 of the CPC)

1. This is an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 filed in CC 2/2022, as a counter-claim in CS (Comm) 567/2021.

2. Mr. Hemant Singh has contested the very maintainability of the counter-claim in a design infringement case.

3. In order to enable Mr. Sachin Gupta to address submissions on the point, renotify on 8th February 2023.

C.HARI SHANKAR, J

FEBRUARY 3, 2023

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