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

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CS(COMM) 567/2021

**NOVATEUR ELECTRICAL & DIGITAL SYSTEMS**

**PVT LTD**

.....Plaintiff

Through: Mr. Hemant Singh, Ms. Mamta R. Jha, Mr. Akhil Saxena and Ms. Pragya Jain and Ms. Palak Batra, Advocates.

versus

**V-GUARD INDUSTRIES LTD**

.....Defendant

Through: Mr. Saikrishna Rajagopal, Mr. Nitin Sharma, Ms. Deepika Pokharia, Mr. Angad Makkar and Mr. Abhay, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**ORDER**

**26.11.2025**

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**I.A. No. 6245/2025**

1. The present Application has been filed on behalf of the Defendant under Section 151 of the Code of Civil Procedure, 1908 (“CPC”) for fixing the date for hearing of the Defendant’s application being I.A. 16442/2023.
2. The learned Counsel for the Defendant submits that the present Application has become infructuous.
3. Accordingly, the same is disposed of as rendered infructuous.

**I.A. No. 18002/2025**

4. The present Application has been filed under Order XI Rule 1(5) and Rule 1(12) of CPC as amended by the Commercial Courts Act, 2015 read with Section 151 CPC for placing additional documents on record.
5. The learned Counsel for the Plaintiff submits that the Plaintiff seeks to place on record the expert affidavit of Ms. Swetal Khaire, who is employed as the Manager Industrial Designer in the Plaintiff company. This



is in response to the documents placed on behalf of the Defendant being the foreign design registrations obtained by the Plaintiff's sister concerns in the Legrand group contending that the same evince prior publication of the Suit Design registrations.

6. The learned Counsel for the Defendant does not have objections for allowing this document to be taken on record.

7. In view of the same and considering the submissions made on behalf of the learned Counsel for the Plaintiff and the averments made in the Application, the Application is allowed and the expert affidavit of Ms. Swetal Khaire is taken on record.

8. The Application stands disposed of.

**I.A. No. 2117/2023**

9. The learned Counsel for the Parties submit that the pleadings are complete in this Application.

10. The parties shall file their respective Written Submissions along with case laws on which they wish to reply upon within a period of four weeks.

11. List on 15.01.2026.

**CC(COMM) 2/2022 & CS(COMM) 567/2021**

12. The Parties are directed to exchange their proposed draft Issues with each other and file the proposed Joint Issues within a period of two weeks. If the Parties are not able to agree on any of the Issues, they shall be listed separately below the Joint Issues, with an indication of which Party has proposed the said Issue.

13. List for framing of Issues on 15.01.2026.

**TEJAS KARIA, J**

**NOVEMBER 26, 2025**

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