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

+ **CS(COMM) 560/2025, I.A. 14010/2025, I.A. 14011/2025, I.A. 14012/2025, I.A. 14013/2025, I.A. 14014/2025 & I.A. 14015/2025**

MICROTEX ENERGY PRIVATE LIMITEDPlaintiff

Through: Mr. C.M. Lall, Senior Advocate with
Ms. Kripa Pandit. Mr. Prabhu
Tandon, Mr. Christopher Thomas,
Mr. Yash A. Arora & Mr. Bhanu
Gupta, Advocates.

versus

**MICROTEK INTERNATIONAL PRIVATE
LIMITED**Defendant

Through: Ms. Swathi Sukumar, Senior
Advocate with Mr. J.V. Abhay, Ms.
Apoorva Murali, Ms. Aishwarya
Chaturvedi, Ms. Anshika Chadha &
Ms. Aishwarya Mukherjee,
Advocates.

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER

% **29.05.2025**

I.A. 14012/2025 (u/O-XI Rule 1(4) of the CPC)

1. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents.
2. The plaintiff is permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018 within thirty (30) days.
3. Accordingly, the application is disposed of.



I.A. 14013/2025 (seeking exemption from filing the originals, clear/legible/ translated copies of documents, etc.)

4. Allowed, subject to the plaintiff filing clear/legible/translated copies of documents and documents with proper margins within four (4) weeks.
5. The plaintiff is exempted from the filing the originals at this stage.
6. The application stands disposed of.

I.A. 14014/2025 (u/s 149 of the CPC)

7. Mrs. Kripa Pandit, counsel appearing on behalf of the plaintiff submits that the requisite court fees shall be paid within two (2) days.
8. The aforesaid statement of counsel for the plaintiff is taken on record.
9. The application is disposed of.

I.A. 14015/2025 (seeking extension of time for filing true typed copies of dim documents)

10. Allowed, subject to the plaintiff filing true typed copies of documents within four (4) weeks.
11. The application is disposed of.

CS(COMM) 560/2025, I.A. 14010/2025 (u/O-XXXIX Rule 1 & 2 of the CPC) and I.A. 14011/2025 (u/s 12A of Commercial Courts Act, 2015)

12. Mr. Chander M. Lall, senior counsel appearing on behalf of the plaintiff submits that the defendant has started using the impugned mark



‘MICROTEK/’, in respect of batteries, only in the year 2024.

13. This claim is refuted by the counsel for the defendant.
14. Let the plaint be registered as a suit.
15. Issue summons in the suit and notice in the captioned applications.
16. Written statement to the suit and reply(ies) to the captioned



applications shall be filed by the defendant within thirty (30) days from the date of receipt of summons. Along with the written statement, the defendant shall also file affidavit(s) of admission/ denial of the documents of the plaintiff, without which the written statement shall not be taken on record.

17. Liberty is given to the plaintiff to file replication, if any, within thirty (30) days from the receipt of the written statement. Along with the replication filed by the plaintiff, affidavit(s) of admission/denial of the documents of the defendant be filed by the plaintiff.

18. Rejoinder(s), if any, to the reply(ies) to the captioned applications filed by the defendant, shall be filed within two (2) weeks after the receipt of such reply(ies).

19. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case the parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

20. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

21. At this stage, without prejudice to the rights and contentions of the parties, counsel for the parties submit that they are amenable for mediation.

22. Accordingly, the parties are referred for mediation to the Delhi High Court Mediation and Conciliation Centre ('Mediation Centre').

23. The parties, along with their respective counsel, shall appear before the Mediation Centre on 7th July, 2025 at 03:00 PM.

24. List before the Joint Registrar on 5th August, 2025 for completion of service and pleadings.



25. List before the Court on 18th August, 2025 to await the outcome of the mediation proceedings.

AMIT BANSAL, J

MAY 29, 2025/at