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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 271/2018

SOCIETE DES PRODUITS NESTLE,S.A & ANR

..... Plaintiffs

Through : Mr.Hemant Singh, Mr.Manish K
Mishra and Ms.Akansha Singh,
Advocates.

versus

MOHD ZAHID AND SONS & ORS

..... Defendants

Through : Defendant No.1/Mohd. Zahid Javed
Ashraf Khan in person.

Mr.Sandeep Vishnu, Advocate for
defendants No.2 & 60.

Mr.Nitish Harsha Gupta, Advocate
for defendants No.4 & 5.

Mr.Chetan Kumar, Advocate for
defendant No.32.

Ms.Tanya Aggawal, Advocate for
defendants No.39 & 40.

Mr.Subhanshu Dash and Mr.Rajeev
Kumar, Advocates for defendants
No.45,46 and 55.

Mr.Himanshu Dhawan and Ms.Manju
Bhagat, Advocates for defendant
No.74.

Mr.Sunil Dutt Dixit, Advocate for
defendant No.76.

Mr.Ashish Sehrawat and Mr.Kapil
Yadav, Advocates for defendant
No.94.

Ms.Shailja Singh and Mr.Nityanand
Singh, Advocates for defendant
No.95.

Mr.Narender S Sangwan, Advocate



for defendants No.105-108.

Mr.Satish Kumar, Advocate for
defendant Nos.111-112.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% 12.03.2018

IA Nos.8032/2017 and 8033/2017

The learned counsel for the defendant No.94 says that these applications have already been disposed of vide order dated 08.09.2017.

I have perused the said order.

Registry is directed not to show the disposed of applications in the Cause List.

CS(COMM) 271/2018 & IA Nos.23635/2014, 10880/2015, 716/2018,

On 17.01.2018 a decree was passed against some of the defendants and they were directed to file the affidavit in terms of said order along with a deposit of ₹ 6,000/- each towards damages. It is stated that defendants No.1, 2, 44, 46, 55, 94, 95, 105 to 108 have already complied with the said order and filed their affidavits and deposited ₹ 6,000/- each as damages.

The learned counsel for the defendants No.39-40 as well as 74 says that they shall be filing the affidavit along with deposit of ₹ 6,000/- each within a week from today.

The learned counsel for the respondents No.30-40 as well as 45-46 says they have been impleaded as a proprietorship concern



with proprietor of the firm separately, hence they shall be filling one affidavit each with single deposit of ₹ 6,000/- each. Be filed within a week from today.

The learned counsel for the plaintiff says that the defendants who have already filed the affidavits and deposited ₹ 6,000/- each the plaintiff shall take steps for destruction of infringed material seized by the local commissioner.

There is no report qua service of defendants No.102 to 104. Be served afresh through all modes, returnable before the learned Joint Registrar for 12.07.2018.

IA No.3403/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

IA No.3402/2018

The learned counsel for the defendant No.94/applicant filed this application to include his name in the order dated 17.01.2018. It is submitted the name of defendant No.94 was inadvertently not included in para No.8 of the order dated 17.01.2018.

Since the applicant / defendant No.94 has complied with the order dated 17.01.2018, hence the decree as was passed against the other defendants as mentioned in para No.8 of the order dated 17.01.2018, is also passed in against defendant No.94 too.

The application stands disposed of.

YOGESH KHANNA, J

MARCH 12, 2018

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