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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 271/2018

SOCIETE DES PRODUITS NESTLE,S.A & ANR

..... Plaintiff

Through: Mr.Manish Kumar Mishra,
Ms.Akansa Singh, Mr.Srinivas
Venkat, Advocates

versus

MOHD ZAHID AND SONS & ORS

..... Defendant

Through: Mr.Sunil Dutt Dixit, Advocate
for D-76.
Mr.Joney, Adv for D-129 (VC)
Ms.Farheen Penwale, Advocate
for D-143 (VC).
Mr.Rakesh Chaudhary, Mr.Vijay
Jakhwal, Advocates for FSSAI.
Mr.Vikram Jetly CGSC with
Ms.Shreya Jetly, Advocate for
UOI/ Ministry of Health and
Family Welfare.
Mr.Saket Singh, Standing
Counsel, Ms.Akanksha Kapoor,
Advocates for State of Bihar.
Mr.Satish Kumar, Advocate for
D-110 & D111.
Mr.Tejaswin Shetty,
Mr.Shivansh Agarwal,
Advocate for D-128

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. PURSHOTAM
PATHAK (DHJS)**

ORDER

10.01.2023

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The suit has been decreed against defendant no. 1 to 55,
57, 58, 60 to 62, 64 to 75, 81, 83, 84, 87 to 91, 93, 95 to 97, 116
& 133.

Rights of defendant no. 56, 59, 63, 76 to 80, 82, 85, 86, 92,
94, 98 to 115, 117 to 132 to file written statement has been



closed.

Ld. Counsel for the plaintiff submits that the defendant, Yamuna Agencies has been wrongly mentioned as defendant no. 143 in Memo of parties and he may be allowed to file fresh memo of parties. Let fresh amended memo of parties be filed by plaintiff after removing the discrepancies.

Ld. Counsel for defendant no. 128 & 129 submits that their right to file written statement has been wrongly closed and order dated 17.11.2022 may be corrected. Same is opposed by Ld. Counsel for the plaintiff, who submits that complete paper book was supplied to the defendants and their opportunity was closed only when they did not file the written statement within the statutory period of time. Ld. Counsel for defendant no. 128 & 129 are at liberty to move the appropriate application in this regard.

Written statement not filed by defendant no. 135, 137, 140, 142, 143 despite service. Let the same be filed as per rules with advance copy to opposite party. Replication, thereto be filed as per rules thereafter.

Process issued against defendant no. 136, 138 & 144 is awaited and process issued against defendant no. 139 & 141 has returned unserved.

Let affidavit of service be filed by plaintiff qua defendant no. 136, 138, 139, 141 & 144 and plaintiff also to apprise about the status of pleadings of defendant no. 94.

Put up for service / completion of pleadings on 13.03.2023.

**PURSHOTAM PATHAK (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JANUARY 10, 2023/sk

Click here to check corrigendum, if any