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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. Manish Kumar Mishra, Ms.
Akansha Singh and Mr. Srinivas
Venkat, Advocates for P-1 & 2.

versus

MOHD ZAHID AND SONS & ORS Defendants

Through: Mr. Puneet Saini, Advocate for R-
124.

Mr. Vikram Jetly, CGSC with Ms.
Shreya Jetly, Advocate for Ministry
of health.

Mr. Sameer Vashisht, ASC, Civil,
GNCTD with Ms. Sanjana Nangia,
Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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24.02.2023

I.A. 3159/2023 (under Section 151 of the Code of Civil Procedure, 1908 seeking exemption)

1. Exemption is granted, subject to all just exceptions.
2. Applicant shall file legible and clearer copies of exempted document, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed

I.A. 3158/2023(for passing a decree in terms of prayer made in paragraph 40(a) to (c) of the plaint)

4. It is noticed that present application on behalf of Mr. Anuj Singhal



[Defendant No. 123 as per memo of parties dated 23rd September, 2022] wrongly mentions the Applicant as Defendant No. 124, which appears to be an inadvertent mistake. As requested by the counsel for Applicant, the application shall be read accordingly.

5. Applicant – Mr. Anuj Singhal states that he is willing to suffer a decree in terms of paragraph No. 40(a) to (c) of the plaint, in line with order dated 17th January, 2018, passed against certain other Defendants. Mr. Manish Kumar Mishra, counsel for Plaintiffs, states that he has no objection in case such a decree is passed against the Applicant, who is similarly placed as the other Defendants, against whom the suit has already been decreed.

6. Therefore, the application is allowed and disposed of.

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7. In view of the afore-noted, subject to Defendant No. 123 filing an affidavit undertaking to abide by the terms and conditions of paragraph No. 40(a) to (c) of the plaint, a decree is passed in favour of the Plaintiffs and against Defendant No. 123 – Mr. Anuj Singhal in terms of paragraph No. 40(a) to (c) of the plaint. In addition, Defendant No. 123 shall deposit a sum of Rs. 6,000/- with the Registrar General of this Court, as damages to Plaintiffs, within six weeks from today, with advance notice to the counsel for Plaintiffs. An affidavit to that effect shall also be filed within the same timeline. Once the amount is deposited, Plaintiffs would be free to withdraw the same. Goods which were seized from the premises of Defendant No. 123 and are lying with Plaintiffs, may be also be destroyed by Plaintiffs, in accordance with law and extant rules, if any.



8. Decree sheet be drawn up.
9. List before the Joint Registrar on the date already fixed i.e., 13th March, 2023.

FEBRUARY 24, 2023/d.negi

SANJEEV NARULA, J