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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 716/2023**
AKUMS DRUGS AND PHARMACEUTICALS LTD
..... Plaintiff

Through: Mr. Abhishek Sandilya
and Mr. Danish Khan,
Advs.

versus

PREMEDIUM PHARMACEUTICALS PVT LTD &
ORS.
..... Defendants

Through: Mr. Tejasvi Kumar and
Mr. Viraj Srivastava,
Advs. for D-1, 2, 4, 5 & 7
None for D-3 & 6

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. SHUCHI
LALER (DHJS)

% **ORDER**
08.05.2024

IA No. 19874/2023 u/O XXXIX R.10 CPC by plaintiff

1. Reply of defendant nos. 1, 2, 4, 5 & 7 is on record.
Rejoinder has not been filed. Last and final opportunity is
granted to file rejoinder within a week.

2. List for completion of pleadings on the next date.

IA No. 838/2024 u/s 5 of Limitation Act by defendants



3. Heard. Issue notice. Learned counsel for plaintiff accepts notice and submits that he has filed the reply vide diary no.E-1415735/2024 dated 07.05.2024. Same is not on record. He is requested to check it up with the registry and get the same placed on record. Rejoinder, if any, be filed within two weeks.

5. List for arguments on the next date.

CS(COMM) 716/2023

6. Written statement has been filed by defendant no.1, 2, 4, 5 & 7 along with affidavit of admission/denial and documents on 20.02.2024 which was returned under objections and was thereafter re-filed on 13.03.2024.

7. As per office note for 24.11.2023, defendant ns. 1 to 7 were unserved with the report on the ordinary process that no such person at the given address.

8. Affidavit of service has been filed by the plaintiff wherein it is mentioned that all the defendants were served through courier and speed post.

9. As per the tracking report annexed along with the affidavit of service, defendant no.1 was served on 16.11.2023, defendant no.2 on 04.11.2023, defendant no.4 on 07.11.2023, defendant no.5 on 04.11.2023, defendant no.6 on 07.11.2023 and defendant no.7 on 07.11.2023 through speed post.

10. Tracking report of summons sent to defendant no.3 through speed post has not been filed. Learned counsel for plaintiff submits that inadvertently the tracking report of service of summons upon defendant no.3 has not been filed. He undertakes to file the same within a week. Let the needful be done.



11. Re-notify the matter for completion of pleadings/further proceedings on 15.07.2024.

**SHUCHI LALER (DHJS),
JOINT REGISTRAR (JUDICIAL)**
MAY 8, 2024/cd

[Click here to check corrigendum, if any](#)