



\$~10

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

+ **CS(COMM) 771/2022 & I.A. 18162/2022, I.A. 18163/2022, I.A. 1567/2023**

USHA INTERNATIONAL LIMITED Plaintiff
Through: Mr. Prashant Gupta and Mr. Karan Singh, Advs.

versus

**POOJA DUA TRADING AS NAMAN SEWING MACHINE CO
NSM CO** Defendant
Through: Mr. Rahul Rajput, Adv.

**CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR**

ORDER
03.02.2023

%

I.A. 18162/2022(u/O. XXXIX Rules 1 and 2 for stay)

1. The defendant has already stated before the learned Joint Registrar (Judicial) that the written statement filed in response to the suit be treated as its reply to this application.

2. Mr. Prashant Gupta, learned Counsel for the plaintiff seeks and is granted 2 weeks' time to file replication thereto.

3. List the application for hearing and disposal on 2nd March 2023.

I.A. 18163/2022 (U/O. XXVI Rule 9 for local commissioner)

4. This is an application under Order XXVI Rule 9 of the Code of

CS(COMM) 771/2022

Page 1 of 2



Civil Procedure, 1908 (CPC) for appointment of a Local Commissioner.

5. As the Local Commissioner was appointed and the commission stands executed, this application is rendered infructuous which is accordingly disposed of.

CS(COMM) 771/2022

6. List before the learned Joint Registrar (Judicial) for completion of pleadings, admission/denial of the documents and marking of exhibits on 10th March 2023, whereafter the matter would be placed before the Court for case management hearing and further proceedings.

7. Mr. Rahul Rajput, learned Counsel for the Defendants 1 and 2 submits that the defendants are ready to suffer a decree in terms of the prayers in the suit if the plaintiff is willing to forego damages and costs. Mr. Prashant Gupta submits that he would take instructions before the next date of hearing.

C.HARI SHANKAR, J

FEBRUARY 3, 2023

AR