



\$~5

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

+ **CS(COMM) 5/2022**

**PERNOD RICARD INDIA PVT.LTD.** ..... Plaintiff

Through **Mr. Ankit Virmani, Advocate.**

versus

**RAJ KUMAR & ANR.** ..... Defendants

Through **None.**

**CORAM:**

**HON'BLE MS. JUSTICE ASHA MENON**

**ORDER**

% **05.01.2022**

**[VIA VIDEO CONFERENCING]**

**I.A. 114/2022 (exemption)**

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

**I.A. 115/2022 (of the plaintiff under Section 151 CPC for exemption from effecting advance service of the plaint on the defendants)**

3. For the reasons stated in the application, the same is allowed subject to all just exceptions.
4. The application stands disposed of.

**CS(COMM) 5/2022, I.A. 113/2022 (of the plaintiff under Order XXXIX Rules 1 and 2 and Order XXXVIII Rule 5 r/w Section 151 CPC for ex-parte ad interim reliefs)**

5. The plaint be registered as a suit.

**CS(COMM) 5/2022**

**Page 1 of 2**



6. This suit has been filed for recovery of Rs.11,13,04,754/- with interest @ 18% per annum from 8<sup>th</sup> August, 2021 till 9<sup>th</sup> November, 2021.
7. Issue summons in the suit and notice in the application to the defendants by all permissible modes, returnable before the Joint Registrar.
8. The summons shall indicate that the written statement(s) to the suit and reply(ies) to the application be filed by the defendant(s) within thirty days from the date of receipt of the summons. The defendant(s) shall also file the affidavit of admission/denial of the document(s) filed by the plaintiff(s), failing which the written statement(s) shall not be taken on record.
9. The plaintiff is at liberty to file replication(s) to the written statement(s) and rejoinder(s) to the reply(ies) filed by the defendant(s) within thirty days following the filing of the written statement(s)/reply(ies). The replication(s) shall be accompanied by the affidavit of admission/denial in respect of the documents filed by the defendant(s), failing which the replication(s) shall not be taken on record.
10. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the time lines.
11. List before the Joint Registrar on 18<sup>th</sup> April, 2022 for completion of service and pleadings.
12. The order be uploaded on the website forthwith.

**ASHA MENON, J**

**JANUARY 5, 2022**

ck