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IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(COMM) 5/2022
PERNOD RICARD INDIA PVT.LTD.

.....Plaintiff

Through: Mr. Krishan Tiwari & Ms.
Malvikka Arya, Advs.
(Mob.9899264894).

versus

RAJ KUMAR & ANR.

.....Defendants

Through: D1 is stated to be *ex-parte*
V.O.D. 15.10.2022.
Mr. Deepak Jain, Ms. Shailja
Jain, Ms. Anoushka Singh, Ms.
Dashampreet Kaur, Mr. Sajal
Gupta, Mr. Arsh Raina, Mr.
Devender and Ms. Himani Garg,
Advs. for D2.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEEPAK
DABAS (DHJS)**

ORDER

23.03.2026

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**IA No. 29901/2025 filed by plaintiff u/Section 151 CPC
seeking permission to file additional affidavit of Mr.
Mithun Sharma (PW1).**

1. Pleadings qua captioned IA are stated to be complete.
2. Submissions on captioned IA heard. Record perused.
3. Vide order dated 30.07.2025 passed by the Hon'ble Court, additional documents filed by plaintiff were taken on record and liberty was granted to defendant no.2 to file Additional Affidavit of Admission/Denial qua the additional documents. Defendant no.2 has filed an Additional Affidavit of Admission/Denial qua



additional documents.

4. Plaintiff had filed first Evidence Affidavit of PW1/Mr. Mithun Sharma on 07.12.2024. Additional documents were taken on record vide order dated 30.07.2025. Hence, plaintiff is requesting/praying that the additional Affidavit of PW1/Mr. Mithun Sharma be taken on record.
 5. Counsel for defendant no.2 has opposed the captioned IA on the ground that the plaintiff was not specifically permitted to file additional Evidence Affidavit.
 6. On perusal of record, I am of the considered view that if plaintiff is not permitted to file additional Evidence Affidavit of PW1/Mr. Mithun Sharma then plaintiff will not be able to lead evidence qua the additional documents which were taken on record vide order dated 30.07.2025 and order dated 30.07.2025 will be rendered infructuous.
 7. Keeping in view the totality of facts and circumstances, the captioned IA stands allowed and disposed of, accordingly.
- IA No. 11215/2025 filed by plaintiff u/Section 151 CPC seeking permission to file affidavit of Mr. Manas Mishra (PW2).**
8. Pleadings qua captioned IA are also stated to be complete.
 9. Submissions on captioned IA heard. Record perused.
 10. Keeping in view the totality of facts and circumstances, the captioned IA also stands allowed and disposed of, accordingly.



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11.Matter is at the state of plaintiff's evidence.

12.Re-notify on 05.08.2026 for plaintiff's evidence.

**DEEPAK DABAS (DHJS),
JOINT REGISTRAR (JUDICIAL)
MARCH 23, 2026/ab**