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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 586/2019 with I.A. 14659/2019, I.A. 14660/2019, I.A. 4065/2021 and I.A. 38495/2024

WESTERN DIGITAL TECHNOLOGIES,
INC. & ANR.Plaintiffs

Through: Ms. Shwetasree Majumdar and
Mr.Prithvi Singh, Advocate

versus

HANSRAJ DUGARDefendant

Through: Mr. Sidharth Chopra, Mr. Kanishk
Kumar, Mr. Angad Makkar and
Mr.Priyansh Kohli, Advocates.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
% **19.03.2025**

I.A. 38495/2024 (under Order XXXIX Rule 4 of CPC)

1. Further submissions of the counsel for the parties have been heard.
2. Insofar as the goods which have been seized by the Local Commissioner are concerned and are presently lying in the customs warehouse, the Court has indicated to counsel for the defendant that the Court shall permit release of the aforesaid goods subject to the undertaking of the defendant that the said goods will be sold only as scrap after removing all references to the marks of the plaintiffs.
3. It has also been indicated that this Court will not pass any directions



qua the demurrage charges that may be payable in respect of the said goods. Defendant shall be free to pursue his remedies that may be available in law with regard to demurrage charges. The Court would order the release of goods from the customs warehouse to the defendant, subject to the defendant addressing the issue of demurrage.

3.1. Counsel for the defendant seeks time to take instructions.

4. It has been put to the counsel for the plaintiffs that insofar as future imports are concerned, on a *prima facie* view, the benefit of the judgment passed by the Co-ordinate Bench in ***Seagate Technology LLC v. Daichi International***, 2024:DHC:4193, would be available to the defendant.

4.1. Counsel for the plaintiffs seeks time to address arguments in this regard.

4.2. It is stated that Ms. Majumdar is busy in another court today and therefore the matter may be adjourned for today.

5. List on 21st March, 2025.

CS(COMM) 586/2019

6. List the suit along with pending applications on 21st March, 2025.

AMIT BANSAL, J

MARCH 19, 2025

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