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

+ **CS(COMM) 611/2019 & I.A. 5152/2021, I.A. 5247/2021**

**FMC CORPORATION & ANR. .... Plaintiffs**

Through: Mr. Sudhir Chandra, Sr. Adv.  
with Mr. Pravin Anand, Mr. Dhruv Anand,  
Ms. Uditā M. Patro, Ms. Kavya Mammen  
and Ms. Sampurna Sanyal, Advs.

versus

**NATCO PHARMA LIMITED ..... Defendant**

Through: Mr. J. Sai Deepak, Adv. with  
Mr. G. Nataraj, Mr. Avinash K Sharma and  
Mr. Ankur Vyas, Advs.

**CORAM:**

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

**ORDER**

% **12.04.2021**

**I.A. 5247/2021 (Exemption) in CS(COMM) 611/2019**

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

**I.A. 5152/2021 (under Order XXXIX Rules 1 and 2 CPC) in CS(COMM) 611/2019**

1. The communication dated 12<sup>th</sup> March, 2021, addressed by the plaintiff to the Commissioner and Director of Agriculture, Department of Agriculture, Guntur, with which the defendant-applicant is aggrieved, does not specifically name the defendant, though Mr. J. Sai Deepak, learned counsel for the defendant, submits that the



communication has been cleverly worded so as to cover all parties manufacturing or intending to manufacture Chlorantraniliprole (CTPR), which would include the defendant. He also points out that the defendant is, in fact, situated at Guntur.

2. Be that as it may, as the impugned communication does not specifically name the defendant, hence, reserving liberty to the defendant to seek remedies available to it within law, including, *inter alia*, before this Court, in the event of any communication naming the defendant or calling for any action which may prejudicially affect the defendant, being made by the plaintiff before any regulatory authority, this application stands disposed of.

**C. HARI SHANKAR, J.**

**APRIL 12, 2021**

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