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

+ **CS(COMM) 611/2019**

FMC CORPORATION & ANR.

..... Plaintiffs

Through Ms.Arпита Sahney, Mr.Sanjay Kumar,
Ms. Meenal Khurana and M.Priyansh
Sharma, Advs. (through VC)

versus

NATCO PHARMA LIMITED

..... Defendant

Through Mr.Ankur Vyas, Adv.
(Mob No. 8130459281)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. SURYA MALIK GROVER
(DHJS)**

ORDER

% **02.03.2022**

IA No. 883/2022 and IA No. 891/2022 (under Section 151 CPC seeking exemption from filing notarised affidavit)

In view of the reasons assigned, applications stand allowed, with directions to the applicant to file duly notarised affidavit within four weeks of resumption of normal functioning of courts.

Both the IAs stand disposed of in aforesaid terms.

IA No. 6708/2021 (under Section 151 CPC filed by applicants for taking affidavit of Mr. Paul Bernett on record)

AND

IA No. 15353/2019 (under Order XI rule 1 (6) as amended by the Commercial Courts Act, 2015 read with Chapter IV of the Delhi High Court (Orgl. side) rules read with Section 151 CPC, 1908 for discovery)

Learned counsel for plaintiffs seeks two weeks time to file rejoinders to the replies filed by defendant in both the applications. Heard. Allowed.



List the IAs before the Hon'ble Court on date already fixed i.e., **07.04.2022** for further directions.

IA No. 1766/2020 (under Section 151 CPC)

Learned counsel for defendant submits that hard copy of reply was filed in Filing Branch, mention of which, was also made in order dated 24.02.2021. Learned counsel for plaintiff submits that she has not received copy thereof till date. Same be supplied through e-mail within a week positively. Meanwhile, counsel for defendant is directed that he shall coordinate with the Registry and file/ re-file reply, in case so warranted so that the scanned records are completed before the next date.

Thereafter, Rejoinder, if any, be filed within three weeks from the date of receipt of reply in terms of orders passed by the Hon'ble Court.

List the IA before the Hon'ble Court on date already fixed i.e., **07.04.2022** for further directions.

CS(COMM) 611/2019

Written statement along with affidavit of admission/denial was taken on record vide order dated 24.02.2020. Further, vide order dated 26.05.2020, replication has already been taken on record.

Accordingly, pleadings stand completed.

Plaintiff(s) is/are directed to prepare joint schedule of documents within four weeks and send a copy of the same to the defendant(s) through email and speed post. Further, defendant(s) shall duly acknowledge the same/file objections, if any, within two weeks thereof, failing which, it shall be deemed that defendant (s) have no objection thereto.

Further, plaintiff(s) is/are directed to file Joint schedule of documents



in terms of amended Delhi High Court rules at least one week prior to the next date. Defendant(s) is/are directed to duly cooperate with plaintiff (s) in timely preparation of joint schedule of documents.

In case, documents have been filed through e-filing, parties are directed to file hard copies of their documents in the Registry at least one week prior to the next date.

List the matter for admission/denial and marking of exhibits on **11.07.2022 at 12.00 Noon.**

Main counsel/parties are directed to appear in person on that date for identification of documents. Both sides will bring their respective original documents on next date.

**SURYA MALIK GROVER (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MARCH 2, 2022
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