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

+ **CS(COMM) 647/2019, CCP(O) 9/2020, I.A. 16693-16694/2019**

ITC LIMITED

..... Plaintiff

Through: Mr. Sudeep Chatterjee, Mr. Kunal
Vats and Ms. Tanya Arora,
Advocates.

versus

RAJ KUMAR MITTAL & ORS.

..... Defendants

Through: Mr. Pawan Malik, Advocate for
Contemnor No. 1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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23.05.2023

CCP(O) 9/2020

1. On 03rd March, 2023, Contemnor No. 1 was permitted to file a reply to the petition within four weeks from the date of receipt of copy of video footage recorded by the Local Commissioner at the time of execution of the commission. Subsequently, on 17th April, 2023, at request of Plaintiff's counsel, the Registry was directed to provide them a copy of the CD containing the unedited video footage, as filed by the Local Commissioner. On receipt thereof, Plaintiff supplied a copy of content of the CD through a video link to Contemnor No. 1 and subsequently, on 09th May, 2023, provided the same in a CD.

2. Mr. Pawan Malik, counsel who represents Contemnor No. 1, states that



the video content provided to him is of a shorter duration and is not the complete footage of what was recorded by the Local Commissioner. He thus requests for access to the videography as was done by the Local Commissioner.

3. Mr. Sudeep Chatterjee, counsel for Plaintiff, controverts the afore-noted and submits that the video provided to Contemnor No. 1 is exact replica of what has been filed by the Local Commissioner, excerpts whereof have been filed along with the present contempt petition.

4. Without delving into the above controversy, liberty is given to Mr. Malik to approach the Registry and obtain a copy of the CD filed by the Local Commissioner. As and when such a request is made, the Registry shall issue a copy to Mr. Malik.

5. Contemnor No. 1 shall positively file a reply within two weeks of obtaining such copy. Rejoinder thereto, if any, be filed within one week thereafter.

6. There is no appearance on behalf of Contemnor No. 2. In order to secure his presence, bailable warrant are issued for an amount of Rs. 50,000/-, to be executed to the concerned SHO. Contemnor No. 1 shall also remain present before Court on the next date.

7. List on 25th July, 2023.

SANJEEV NARULA, J

MAY 23, 2023

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