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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CS(COMM) 688/2024

ASTRAZENECA AB & ANR.

.....Plaintiffs

Through: Ms. Vaishali R. Mittal and Mr.
Gursimran Singh Narula,
Advocates

versus

EVEREST PHARMACEUTICALS LIMITED & ORS.

.....Defendants

Through: Mr. Naman Joshi, Mr. Rahul, Ms.
Ritika Vohra and Ms. Seema Joshi,
Advocates for D-3

+ **CS(COMM) 691/2024**

ASTRAZENECA AB & ANR.

.....Plaintiffs

Through: Ms. Vaishali R. Mittal and Mr.
Gursimran Singh Narula,
Advocates

versus

BEACON PHARMACEUTICALS PLC & ORS.Defendants

Through: Mr. Naman Joshi, Mr. Rahul, Ms.
Ritika Vohra and Ms. Seema Joshi,
Advocates for D-4

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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22.08.2024

I.A. 37107/2024-Exp from advance service to D-2 in CS(COMM) 688/2024

1. The plaintiffs seek exemption from advance service on the defendant no.2.



2. Learned counsel for the plaintiffs submits that considering the position involved, there is a likelihood that the apprehensions of the plaintiffs will become a reality in case advance service is affected and therefore, an exemption from effecting advance service is necessary.

3. Therefore, for the reasons stated in the application as also taking into account the aforesaid factors and in the interest of justice, the plaintiffs are granted exemption from effecting advance service upon the defendants.

4. Accordingly, the present application is allowed and disposed of.

I.A. 37106/2024-Stay in CS(COMM) 688/2024

5. Plaintiffs have moved the present application after the HDFC Bank Ltd. has been impleaded as defendant no.10 herein vide earlier order dated 20.08.2024, seeking the following reliefs:-

“a. An order directing freeze of accounts of Defendant No. 2 being Account No. 50200076739438, IFSC Code HDFC0001739 and UPI id dr.arb3-3@okhdfcbank and any other bank account linked with such UPI ID, immediately or within 24 hours;

b. An order directing Defendant no. 10 to provide all data but not limited to the bank statements of the last three years, KYC details, and any other financial transactions carried through Account No. 50200076739438, IFSC Code HDFC0001739 and UPI id dr.arb3-3@okhdfcbank, before this Hon’ble Court;

c. An order granting ex parte relief in terms of the prayers contained hereinabove.”

6. In light of the *ex parte ad-interim* injunction granted by this Court vide order dated 14.08.2024, HDFC Bank, defendant no.10 is directed to freeze the account bearing Account No. 50200076739438, IFSC Code HDFC0001739 and UPI id dr.arb3-3@okhdfcbank and any other bank account linked with such UPI ID, till the next date of hearing.



7. Accordingly, in the aforesaid terms, the present application is allowed and disposed of.

I.A. 37109/2024-Exp from advance service to D-3 in CS(COMM) 691/2024

8. The plaintiffs seek exemption from advance service on the defendant no.3.

9. Learned counsel for the plaintiffs submits that considering the position involved, there is a likelihood that the apprehensions of the plaintiffs will become a reality in case advance service is affected and therefore, an exemption from effecting advance service is necessary.

10. Therefore, for the reasons stated in the application as also taking into account the aforesaid factors and in the interest of justice, the plaintiffs are granted exemption from effecting advance service upon the defendants.

11. Accordingly, the present application is allowed and disposed of.

I.A. 37108/2024-Stay in CS(COMM) 691/2024

12. Plaintiffs have moved the present application after the HDFC Bank Ltd. has been impleaded as defendant no.7 herein vide earlier order dated 20.08.2024, seeking the following reliefs:-

“a. An order directing freeze of accounts of Defendant No. 3 being Account No. 50200076739438, IFSC Code HDFC0001739 and UPI id dr.arb3-3@okhdfcbank and any other bank account linked with such UPI ID, immediately or within 24 hours;

b. An order directing Defendant no. 7 to provide all data but not limited to the bank statements of the last three years, KYC details, and any other financial transactions carried through Account No. 50200076739438, IFSC Code HDFC0001739 and UPI id dr.arb3-3@okhdfcbank, before this Hon’ble Court;

c. An order granting ex parte relief in terms of the prayers contained



hereinabove.”

13. In light of the *ex parte ad-interim* injunction granted by this Court vide order dated 14.08.2024, HDFC Bank, defendant no.7, is directed to freeze the account of defendant No. 3 being Account No. 50200076739438, IFSC Code HDFC0001739 and UPI id dr.arb3-3@okhdfcbank and any other bank account linked with such UPI ID, till the next date of hearing.

14. Accordingly, in the aforesaid terms, the present application is allowed and disposed of.

CS(COMM) 691/2024

15. Learned counsel for the plaintiffs submits that there is a typographical error in the order dated 20.08.2024 as inadvertently in place of defendant no.7, defendant no.10 has been mentioned in para 6 of the said order.

16. On oral request made by the learned counsel for the plaintiffs, para 6 of order dated 20.08.2024 in CS(COMM) 691/2024, is modified as under:-

“6. As such, for the reasons stated in the present application and as the present suit is at its very nascent stage, when impleadment of the proposed defendant no.7 will cause no prejudice to any of the other already impleaded defendants, the same is allowed.”

17. Renotify on the date already fixed, i.e. 08.01.2025.

SAURABH BANERJEE, J

AUGUST 22, 2024/akr