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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 914/2023**
KONINKLIJKE PHILIPS N. V. & ORS.
.....Plaintiff

Through: Mr. Ishith Arora, Advocate for
P-1 to P-3

versus

KARMA MINDTECH & ORS.
.....Defendant

Through: Mr. Kunal Khanna, Mr. Madhav
Anand (VC), Advocates for D-1
& D-2

Mr. Neeraj K Gupta (VC),
Mr. Akshaya Agarwal,
Advocates for D-3

CORAM:
JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

ORDER
24.09.2025

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1. Matter has been listed today for fixing the dates of trial. List of witnesses has not been filed by the parties. Evidence by way of affidavit of the plaintiff witness/es has also not been filed.
2. Issues were framed on 28.04.2025 by the Hon'ble Court and parties were directed to file their list of witnesses within four weeks. Affidavit/s in evidence of the plaintiff witness/es were to be filed within six weeks. On the next date which was 15.07.2025, since no list of witnesses had been filed on behalf of plaintiff, defendant no. 2 and defendant no. 3 (defendant no. 1 has ceased to exist as recorded on 10.07.2025), directions were



given to file the same within four weeks failing which cost was to be imposed.

3. Ld. Counsel for the plaintiff submits that list of witnesses has still not been filed for the reason that plaintiff no. 2 is based in Israel which is involved in an ongoing conflict with Palestine. However, plaintiff no. 1 is a company based in Netherlands whereas plaintiff no. 3 is a company based in India. This Court is unable to appreciate the submission put-forth on behalf of the plaintiff that the list of witnesses cannot be filed simply because plaintiff no. 2 is based in Israel. Consequently, final opportunity is granted to file list of witnesses within six weeks failing which right to lead evidence shall stand closed. In case the list of witnesses is filed within six weeks, the affidavit/s in evidence of the plaintiff witness/es be filed within a further period of six weeks. The same be also filed in physical form with advance copy of the same to Ld. Counsel for defendant nos. 2 and 3.

5. Ld. Counsel for defendant no. 2 submits that no evidence is to be led on behalf of defendant no. 2 and consequently, list of witnesses has not been filed.

6. Ld. Counsel for defendant no. 3 submits that they shall also not be leading evidence and infact, shall be moving an application for their deletion based on the Local Commissioner's report and the Delhi High Court IT Registrar's findings.

7. Put up for further proceedings on 15.01.2026.

Dr. AJAY GULATI
(DHJS),
JOINT REGISTRAR (JUDICIAL)

SEPTEMBER 24, 2025/sk