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

+ **CS(COMM) 595/2023 & I.A. 16298/2023 (ORDER XXXIX R 1
AND 2 CPC)**

ASHISH PADIA

.....Plaintiff

Through: **Ms.Aparna Jain and Mr. Ishan Berry,
Advocates**

versus

VARUN FOILS LTD

.....Defendant

Through: **Mr.Essenese Obhan & Ms.Yogita
Rathore, Advocates**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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11.08.2025

I.A. 17752/2023

1. This is an application under Order VII Rule 11 of the Code of Civil Procedure, 1908 ('CPC'), filed by the defendant, stating that the sole defendant i.e., Varun Foils Ltd. is not, in any manner, concerned with the infringing products. It is stated that the infringing products (i.e., petwares) are manufactured by M/s. Varun Udhyog, a proprietorship firm of Mr. Arun Sharma.

I.A. 19849/2023

2. This is an application filed by the plaintiff under Order VI Rule 17 CPC seeking impleadment of M/s. Varun Udhyog, through its proprietor Mr. Arun Sharma. The impleadment is sought in view of the stand taken by the defendant in its written statement and its application being I.A. 17752/2023.



3. This Court observes that the written statement has been signed by Mr. Arun Sharma himself. Accordingly, Mr. Arun Sharma is directed to remain present in Court on the next date of hearing **through VC** so that the correct entity can be impleaded as a party.
4. The document placed on record by the plaintiff shows that the existing defendant and M/s. Varun Udhyog share common commercial profiles on internet.
5. List on **30.10.2025**.

MANMEET PRITAM SINGH ARORA, J

AUGUST 11, 2025/gm/MG