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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 790/2023**
THE FOUNDRY VISIONMONGERS LIMITED

.....Plaintiff

Through: Ms. Vareesha Irfan, Advocate

versus

SILVERCLOUD STUDIOS PRIVATE LIMITED &
ANR.Defendant

Through: Mr. Rishub Kapoor, Advocate

CORAM:
JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

ORDER
14.11.2024

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1. The matter has been listed today for carrying out admission / denial of documents.
2. Ld. Counsel for the plaintiff has raised an objection regarding documents no. 3, 6, 7, 8 & 10 in regard to which defendants have not admitted the existence thereof. Ld. Counsel for the plaintiff has highlighted that these documents pertain to transactions and emails exchanged between the plaintiff and defendant no. 1 which is a company and consequently, even if the contents have to be denied, the existence thereof has to be admitted by defendant no. 1 since same would be a part of their record also. In response, ld. Counsel for the defendants submits that the present management of defendant no. 1, of which defendant no. 2 is a part now has taken over the management of defendant no. 1 replacing the old management completely. Ld. Counsel has further highlighted that in their written statement, defendants have categorically submitted that there has not been a complete handover of records of defendant's no. 1 company by



the old management to the new management and consequently, this being their primary defence to the claim raised by the plaintiff, it is not possible for the defendants to admit the existence of the above said documents. In rebuttal, ld. Counsel for the plaintiff submits that since the documents pertain to defendant no. 1 as a company, it cannot be accepted that those documents have been wiped out from the record simply on the change of management. Having due regard to the submission of the plaintiff counsel, the explanation put forth by the defendant is also plausible in as much as they cannot possibly admit existence of documents of which they are not even aware of, as per the stand taken in the written statement.

3. Ld. Counsel for the plaintiff admits two documents filed by the defendant which have been identified as Ex. D-1 & Ex. D-2. Rest of the documents have been denied by the plaintiff.

4. On the other hand, ld. counsel for the defendants admits 12 documents filed by the plaintiff, which have been identified as Ex. P-1 to Ex. P-12. Rest of the documents have been denied by the defendants. Joint document schedule has been taken today in the court across the board. Registry is directed to scan the Joint document schedule and place the same on e-record as also physical record before the next date.

5. Admission / denial of documents stands complete. Matter is ripe for framing of issues.

6. Put up before the Hon'ble Court on 24.12.2024, for further directions.

Dr. AJAY GULATI
(DHJS),

JOINT REGISTRAR (JUDICIAL)

NOVEMBER 14, 2024/sk

Click here to check corrigendum, if any