



\$~3

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

+ **CS(COMM) 974/2024, I.A. 8738/2025, I.A. 43953/2024, I.A.**

43954/2024, I.A. 43955/2024

M/S DATABRICKS LIMITED

.....Plaintiff

Through: Mr. Suresh K. Chopra, Mr. Vidit Garg, Advs.

versus

M/S INDO WINGS PVT LTD. AND ANR

.....Defendant

Through: None

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

%

13.05.2025

Matter is taken up through physical hearing as well as video conferencing.

CS(COMM) 974/2024

Ld. Counsel for plaintiff has stated that mediation proceedings have failed. Perusal of previous orders reveals that Ld. Counsel for defendants had put up appearance on advance service on 04.11.2024 before the Hon'ble Court but till date, no Written Statement has been filed by defendants. Perusal of file noting reveals that vakalatnama has been filed on behalf of defendant no.1 but neither the Written Statement nor reply to any I.A. has been filed by defendants till date. Defendant no.2 is stated to be Director of defendant no.1 company.

I.A. 8738/2025 (Application u/S. 152 r/w Sec. 151 CPC filed by plaintiff)

As per file noting, notice to defendant no.1 at Delhi address remained unserved with report that 'office is locked since long time' and report of



Notice to defendant no.2 at No. 1 address is still awaited. Ld. Counsel for plaintiff has stated that he has filed affidavit of service alongwith tracking reports according to which defendants have been served by way of whatsapp as well as speed post.

None has appeared on behalf of defendants despite service. Last opportunity is granted to defendants for filing Reply if any to the abovesaid I.A. before the next date of hearing with advance copy to the opposite party.

Ld. Counsel for plaintiff has stated that he is ready and willing to make payment of entire 25000 GBP before the Hon'ble Court as the amount cannot be deposited into the account of defendants due to some regulatory limitations, due to which the abovesaid application for modification of order dated 22.11.2024 has been filed by plaintiff and he has brought the cheque of Rs. 25 lakhs as surety to show his readiness and willingness to make payment to defendant.

I.A. 43953/2024 (by the plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 CPC for ad-interim injunction)

I.A. 43954/2024 (by the plaintiff under Order XXVI Rule 9 read with Section 151 CPC for appointment of Local Commissioner)

I.A. 43955/2024 (by the plaintiff under Order XI read with Section 151 CPC for appointment of receiver)

Reply has not been filed by defendants till date. Last opportunity is granted to defendants for filing reply within two weeks with advance copy to the opposite party.

Matter is already coming up before Hon'ble Court on 21.05.2025.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MAY 13, 2025/SM