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

+ TR.P.(C.) 186/2025

VIZRT AG

.....Petitioner

Through: Ms. Diva Arora Menon, Advocate.

versus

ASHWA GHOSH AND ANR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **10.10.2025**

CM. APPL. 63676-77/2025 (*Exemption*)

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

CM APPL. 63678/2025 (*For Condoning delay of 7 days in re-filing*)

3. By virtue of the present application the petitioner seeks condonation of delay of 07 days in re filing the captioned petition.
4. For the reasons stated in the application, the same is allowed and the delay is condoned.
5. Accordingly, the application stands disposed of.

TR.P.(C.) 186/2025

6. By virtue of the present petition, the petitioner seeks transfer of suit bearing CS (Comm) no. 793/2023 titled “Ashwa Gosh v. Vizrt and Ors.” presently pending before learned District Court, South-East, Saket, New Delhi, to this Court so as to be heard along with CS (Comm) no.



1202/2024, which is currently pending before this Court.

7. It is the case of the petitioner that although CS (Comm) no. 793/2023 pending before the learned Saket Court, was instituted prior to the institution of CS (Comm) no.1202/2024 before this Court, the former was dismissed *vide* order dated 27.08.2024, though, subsequently revived pursuant to the order dated 25.04.2025. Prior thereto, CS (Comm) no.1202/2024 was instituted by the petitioner before this Court.

8. Learned counsel for the petitioner submits that since both the suits pertains to the same trademark i.e. 'VIZRT'; the parties involved therein are same; the issues involved will be the same; and the documentary evidence as also the witnesses therein will also be the same, it would be in the interest of justice as also for the sake of convenience of the parties that the suit bearing number CS (Comm) 793/2023 be transferred to this Court to be heard alongwith CS (Comm) no. 1202/2024.

9. Upon the petitioner taking requisite steps within a period of *one week*, issue notice to the respondents by all permissible modes, returnable on 13.01.2026.

10. Reply, if any, be filed by the respondents within a period of *four weeks*. Rejoinder thereto, if any, be filed within a period of *two weeks* thereafter.

SAURABH BANERJEE, J

OCTOBER 10, 2025
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