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

+ **CS(COMM) 1017/2024 with I.A. 45134-45136/2024**

MR ANIRUDH SINGH & ANR.

.....Plaintiffs

Through: Mr Sandeep Sharma, Mr Umang Tyagi, Ms Nikita Anand, Ms Shambhavi Sharma, Mr Amit Chaudhary and Ms Kaya Dauk, Advocates.

versus

GOOGLE INDIA PRIVATE LIMITED AND ORS.Defendants

Through: Mr Peeyoosh Kalra, Mr Debashish Banerjee, Mr Tanveer Malhotra, Mr Pankaj Soni, Advocates for D-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **18.11.2024**

I.A. 45135/2024 (Exemption from filing pleadings with proper margins, original documents/ certified copies, typed copies/ documents with appropriate margin and English translation)

1. Allowed, subject to the plaintiffs filing certified/ typed copies of the documents within four weeks from today.

2. The application stands disposed of.

I.A. 45134/2024 (O-XI R-1(4) of the Commercial Courts Act)

3. The present application has been filed on behalf of the plaintiffs seeking leave to file additional documents under the Commercial Courts Act, 2015.

4. The plaintiffs are permitted to file additional documents in accordance



with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

5. Accordingly, the application is disposed of.

I.A. 45136/2024 (extension of time to file court fees)

6. Mr Sandeep Sharma, counsel appearing on behalf of the plaintiffs submits that the requisite court fees shall be paid within two weeks.

7. Statement of counsel is taken on record.

CS(COMM) 1017/2024

8. Let the plaint be registered as a suit.

9. Issue summons.

10. Mr Peeyoosh Kalra, Advocate accepts summons on behalf of the defendant no. 2 and waives issuance of formal summons.

11. Mr Kalra submits that there is no cause of action pleaded in respect of the defendants no.1 and 3 and hence, the said defendants are not necessary and proper parties to the suit.

12. On a *prima facie* view, I find force in the aforesaid submission. Hence, I am not inclined to issue summons to the defendants no.1 and 3 at this stage.

13. Written statement shall be filed by the defendant no.2 within thirty days from the date of the receipt of summons. Along with the written statement, the defendant no.2 shall also file affidavit of admission/denial of the documents of the plaintiffs, without which the written statement shall not be taken on record.

14. Liberty is given to the plaintiffs to file replication(s), if any, within thirty days from the receipt of the written statement. Along with the replication(s) filed by the plaintiffs, affidavit of admission/denial of the



documents of the defendant no.2 be filed by the plaintiffs.

15. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

16. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

17. List before the Joint Registrar on 29th January, 2025 for completion of service and pleadings.

18. List before the Court on 17th March, 2025.

AMIT BANSAL, J

NOVEMBER 18, 2024

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