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

+ **CS(COMM) 1027/2024, I.A. 45295/2024, I.A. 45296/2024, I.A. 45297/2024, I.A. 45298/2024 & I.A. 45299/2024**

DR OETKER INDIA PVT LTD

.....Plaintiff

Through: **Mr. Rishi K Kapoor, Ms. Deboleena Dutta and Mr. Akhilesh, Advocates (Through VC)**

versus

BREW LAB FOOD AND BEVERAGE PRIVATE LIMITED & ORS.

.....Defendants

Through: **None.**

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

19.11.2024

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I.A. 45297/2024 (Exemption from filing original and clear copies of documents)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the plaintiff, seeking exemption from filing originals, translated clear copies and documents with proper margins along with supporting affidavit.
2. Exemption is granted, subject to all just exceptions.
3. Plaintiff shall file legible, clear, and translated copies of the documents, on which the plaintiff may seek to place reliance, before the next date of hearing.



4. Accordingly, the present application is disposed of.

I.A. 45298/2024 (Exemption from undergoing Pre-Institution Mediation)

5. The present is an application under Section 12A of the Commercial Courts Act, 2015, read with Section 151 of CPC, seeking exemption from undergoing Pre-Institution Mediation.

6. Issue notice to the defendants.

I.A. 45296/2024 (Application seeking leave to file additional documents)

7. This is an application under Order XI Rule 1(4) read with Section 151 CPC as amended by the Commercial Courts Act, 2015, seeking leave to file additional documents.

8. The plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

9. The application is disposed of, with the aforesaid directions.

I.A. 45299/2024 (Exemption from advance service to the defendants)

10. The present is an application filed on behalf of the plaintiff under Section 151 of CPC seeking exemption from advance service to the defendants.

11. Since summons is being issued to the defendants, the present application is disposed of.

CS(COMM) 1027/2024 & I.A. 45295/2024

12. Let the plaint be registered as suit.

13. Upon filing of the process fee, issue summons to the defendants by all permissible modes. Summons shall state that the written statement be filed



by the defendants within thirty days from the date of receipt of summons. Along with the written statement, the defendants shall also file affidavit of admission/denial of the plaintiff's documents, without which, the written statement shall not be taken on record.

14. Liberty is given to the plaintiff to file replication within thirty days from the date of receipt of the written statement. Further, along with the replication, if any, filed by the plaintiff, an affidavit of admission/denial of documents of the defendants, be filed by the plaintiff, without which, the replication shall not be taken on record. If any of the parties wish to seek inspection of the documents, the same shall be sought and given within the timelines.

15. List before the Joint Registrar (Judicial) for marking of exhibits, on 15th January, 2025.

16. List before the Court on 18th December, 2024.

MINI PUSHKARNA, J

NOVEMBER 19, 2024

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