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

+ **CS(COMM) 1184/2024**

**EXPHAR S.A. & ANR.** .....Plaintiffs

Through: Ms. Lakshmi Devi Somnath, Ms.  
Madhu Rewri, Mr. Ashutosh  
Upadhyaya, Advocates.

versus

**EXPHA LIMITED & ORS.** .....Defendants

Through: Ms. Srika Selvam, Advocate for D-2  
and 3.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

% **31.01.2025**

**I.A. 2610/2025 (filed by D-1 u/O VII Rule 10 CPC)**

**I.A. 2668/2025 (filed by D-2 and 3 u/O VII Rule 10 CPC)**

1. Issue notice.
2. Notice is accepted on behalf of the plaintiffs.
3. Reply be filed within four (4) weeks.
4. Rejoinder thereto, if any, be filed within four (4) weeks thereafter.
5. List on the date already fixed i.e. 4<sup>th</sup> April, 2025.

**I.A. 2667/2025 (filed by D-2 and 3 u/O XXXIX Rule 4 CPC)**

6. This application has been filed on behalf of the defendants no. 2 and 3 seeking vacation/ modification of the *ex parte ad interim* injunction order passed by this Court on 23<sup>rd</sup> December, 2024.
7. Counsel appearing for the applicants/ defendants no. 2 and 3 submit



that the defendants no. 2 and 3 are willing to remove the name 'expha' from the vials as well as the packaging.

8. It is further submitted that these products are not to be sold in the Indian market and are strictly meant for being exported and sold in African countries. Counsel for the defendants no.2 and 3 submits that on account of a regulatory requirements in the countries of export, the name of the defendant no. 1 has to be there on the packaging as the distributor of the product.

9. Issue notice.

10. Notice is accepted by Mr. Ashutosh Upadhyay, Advocate appearing on behalf of the plaintiffs, who seeks time to take instructions.

11. List on 4<sup>th</sup> February, 2025.

**AMIT BANSAL, J**

**JANUARY 31, 2025**

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