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

+ **CS(COMM) 1406/2025& CAV 497/2025, I.As. 32487-93/2025**

NOVO NORDISK A/S & ANR.

.....Plaintiffs

Through: Mr. Hemant Singh, Ms. Mamta Jha,
Mr. Rishabh Paliwal, Mr. Shreyansh
Gupta & Mr. Sanchit Sharma, Advs

versus

ZYDUS LIFESCIENCES LIMITED

.....Defendant

Through: Mr. Dayan Krishnan, Sr. Adv. with
Ms. Vrinda Pathak, Mr. P.S.
Manjunatan, & Ms. Sandhya Kukreti,
Advs

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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23.12.2025

I.A. 32491/2025 (for exemption)

1. This is an application filed on behalf of the Plaintiffs under Section 151 of CPC seeking exemption from filing certain documents which may be found to be dim, photocopy or not of appropriate font size or lacking the prescribed margins.

2. Subject to the Plaintiffs filing the said documents, within a period of four [4] weeks from today, exemption is granted for the present, failing which, the Plaintiffs will not be entitled to rely upon these documents.

3. With the aforesaid direction, this application stands disposed of.

I.A. 32490/2025 (for exemption)

4. This is an application filed on behalf of the Plaintiffs under Section



151 of CPC seeking exemption from affixing company seal of Plaintiff No.1 in the pleadings and vakalatnama in the present suit.

5. Subject to the Plaintiffs affixing company seal of Plaintiff No. 1 in the pleadings and vakalatnama in the present suit within a period of four [4] weeks from today, exemption is granted for the present. In case of failure in complying this direction, the plaint shall be liable to be rejected for improper institution.

6. With the aforesaid direction, this application stands disposed of.

I.A. 32489/2025 (under Order XI Rule 1(4) of CPC)

7. This is an application filed by the Plaintiffs seeking leave to file additional documents under Order XI Rule 1(4) of CPC [as amended by the Commercial Courts Act, 2015] read with Section 151 of CPC, within thirty [30] days.

8. The Plaintiffs, if they wish to file additional documents will file the same within thirty (30) days from today, and they shall do so strictly as per the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.

9. For the reasons stated in the application, the same is allowed.

10. With the aforesaid direction, this application stands disposed of.

I.A. 32488/2025 (seeking exemption from pre-institution mediation)

11. This application under Section 12A of the Commercial Courts Act, 2015 read with Section 151 CPC has been filed by the Plaintiffs seeking exemption from instituting pre-litigation mediation.

12. Having regard to the facts that the present suit contemplates urgent interim relief and in light of the judgement of the Supreme Court in **Yamini**



Manohar v. T.K.D. Keerthi¹, exemption from the requirement of pre-institution mediation is granted to the Plaintiffs.

13. With the aforesaid direction, this application stands disposed of.

I.A. 32493/2025(for extension of time to file court fees)

14. This is an application filed under Section 149 and 151 of the CPC seeking extension of time to file court fees.

15. Learned counsel for the Plaintiffs states that since the court fee already stands deposited, the relief sought in this application has become infructuous.

16. Accordingly, this application stands disposed of as being infructuous.

I.A. 32492/2025 (Under Order XI Rules 2 and 5 of CPC)

17. This is an application filed on behalf of the Plaintiffs under Order XI Rules 2 and 5 of the Code of Civil Procedure, 1908 ['CPC'] [as amended by Commercial Courts Act, 2015] read with Rule 17 of the Delhi High Court Intellectual Property Rights Division Rules, 2022 and Section 151 of CPC seeking discovery by interrogatories and production of the documents.

18. Issue notice.

19. Ms. Vrinda Pathak, learned counsel for the Defendant accepts notice and waives formal service of the notice.

20. Let the reply be filed within a period of four [4] weeks.

21. Rejoinder thereto, if any, be filed within a period of four [4] weeks thereafter.

CS(COMM) 1406/2025 & I.A. 32487/2025 (for stay)

22. The present suit has been filed seeking a decree of permanent injunction restraining the Defendant from directly or indirectly dealing in

¹ (2024) 5 SCC 815



Active Pharmaceutical Ingredient [‘API’], pharmaceutical products or formulations containing ‘Semaglutide’ by itself or ‘Semaglutide’ either alone or as injections or as tablets in any form or in combination with other API or in any other manner as may amount to infringement of Indian Patent No. 262697 of Plaintiff No. 1 [‘Suit Patent’ or IN’697].

23. Let the plaint be registered as a suit.

24. Issue summons in the suit and notice in the interim injunction application.

25. Ms. Vrinda Pathak, Advocate enters appearance on behalf of the Defendant and accepts summons in the suit as well the notice in the application. She confirms the receipt of the suit paper-book and waives the right of formal service of summons and the notice.

26. The Defendant shall file the written statement and reply to the application within thirty [30] days. Along with the written statement, the Defendant shall also file affidavit(s) of admission/denial of the documents filed by the Plaintiffs, failing which the written statement(s) shall not be taken on record.

27. The Plaintiffs are at liberty to file replication and rejoinder to the application thereto within thirty [30] days after filing of the written statement and the reply respectively. The replication shall be accompanied by affidavit of admission/denial in respect of the documents filed by the Defendant, failing which the replication shall not be taken on record.

28. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

29. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.



Statement of the Defendant to operate in the interim

30. Mr. Dayan Krishnan, learned senior counsel for the Defendant states that the Defendant is aware about the judgment dated 02.12.2025 passed by this Court in CS(COMM) 565/2025 titled **Novo Nordisk AS v. Dr. Reddys Laboratories Limited and Another** and is relying on the same. He states that Defendant has also perused the order dated 10.12.2025 in CS(COMM) 1308/2025 titled **Novo Nordisk AS v. Sun Pharmaceutical Industries Limited**. He states on instructions that the terms and conditions for interim arrangement therein are acceptable to the Defendant.

30.1. He states that the Subject Expert Committee ['SEC'] of the Central Drugs Standard Control Organization ['CDSCO'] has granted approval to the Defendant, which is likely to be received by the Defendant in near future and thereafter, the Defendant will commence manufacturing.

30.2. He states on instructions that the Defendant herein similarly undertakes as has been undertaken by the defendant in CS(COMM) 565/2025 and CS(COMM) 1308/2025 that the Defendant herein shall not sell the impugned drug in India until the expiry of the Suit Patent.

30.3. He states however that the Defendant will exercise an option to export the impugned drug to the countries in which the Plaintiffs have not been granted a patent, as yet.

30.4. He states that an affidavit to the effect of the statement recorded hereinabove will be filed by the Defendant within two [2] weeks.

30.5. He states that the Defendant will similarly file the details of its accounts pertaining to manufacturing and exports of the impugned drug carried out by the Defendant for the entire period from the commencement



of manufacturing of the impugned drug until the expiry of the Suit Patent.

30.6. He states that the judgment dated 02.12.2025 passed in CS(COMM) 565/2025 has been carried in appeal by the Plaintiff herein and if, there is any variation in favour of the defendant therein by the Appellate Court, the Defendant herein will similarly rely upon the said favorable determination.

31. Mr. Hemant Singh, learned counsel for the Plaintiffs states that Plaintiff has already preferred an appeal against the judgment dated 02.12.2025 and the same is sub-judice in FA(OS)(COMM) 204/2025. He states that the Plaintiff is agreeable to the aforesaid submission of the Defendant without prejudice to its rights and contentions.

32. The aforesaid statements made by the learned senior counsel for the Defendant and the learned counsel for the Plaintiff are taken on record.

33. It is directed that the Defendant is bound down by the said statements recorded in this order till the expiry of the Suit Patent/IN'697. The Defendant is directed to file its affidavit [referred hereinabove] within two [2] weeks.

34. The Defendant is directed to file with its reply to the injunction application details of its accounts pertaining to manufacturing and exports of the impugned drug carried out by them for the entire period from the commencement of manufacturing of the impugned drug, till date of filing of the reply. The Defendant shall file updated accounts with the registry until the expiry of the Suit Patent/IN'697.

35. List before the learned Joint Registrar (J) for completion of service and pleadings, marking of exhibits and admission/denial of documents on **11.02.2026**.

36. List before the Court on **26.02.2026**.



37. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
DECEMBER 23, 2025/rhc/MG