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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 848/2016**
THE INDIAN HOTELS CO.LTD.

..... Plaintiff

Through: Mr. Manish Biala, Advocate

versus

M/S BELSONS HOTELS PVT.LTD.

..... Defendant

Through: Mr. Nirmal Prasad, Advocate for
D-2, 3 & 5.

CORAM:
JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

ORDER
13.02.2024

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Affidavit in evidence of DW-2 has been filed electronically on 17.11.2023. However, the affidavit in physical form is yet to be filed. Let the same be filed in two weeks.

Vide order dated 28.11.2023, Hon'ble Court has directed that evidence of DW-2 shall be recorded through video conference, as per the Delhi High Court Rules. A remote co-ordinator will have to be appointed at Hyderabad since DW-2 is a resident of Hyderabad. In terms of the video conferencing guidelines issued by the Hon'ble Delhi High Court, a request is to be sent to Ld. Principal District & Sessions Judge, Hyderabad for appointment of a remote point coordinator whereafter a test video conference will be conducted before the actual date of examination of DW-2. Registry is directed to send the letter of request within a week. A copy of this order be sent alongwith.



On 09.11.2023, defendant was directed to file affidavit of evidence of three remaining witnesses and it was also directed that atleast one of the witnesses should be present today since even on that date there was a request pending for examination of DW-2 through video conference. Neither any witness is present today nor affidavits of the other two remaining witnesses have been filed.

Ld. Counsel for the contesting defendants submits that apart from DW-2 Mr. G.P.Rao (who is to be examined through VC), one of the remaining two witnesses is the official of trade mark registry and the fourth witness is Mr. B. Sanjeev Rao. Ld. Counsel further submits that he has instructions to state that Mr. B. Sanjeev Rao is being dropped as a witness. So far as summoning official from Trade mark registry is concerned, ld. counsel for the plaintiff submits that if the certified copy/ies of the relevant trade mark registration/s are filed by the defendants, they will not be objecting to the authenticity of the certified copies, in compliance of the various judgments of the Hon'ble High Court passed in this regard. Ld. Counsel for the defendants submits that he shall take necessary instructions in this regard.

Put up for further proceedings and to await response from the office of Ld. Principal District & Sessions Judge, Hyderabad on 26.04.2024.

**Dr. AJAY GULATI (DHJS),
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 13, 2024/sk

[Click here to check corrigendum, if any](#)