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

+ CS(COMM) 1259/2016

CADBURY UK LIMITED & ANR

.....Plaintiff

Through: Ms. Prakriti Varshney (VC),
Advocate

Versus

LOTTE INDIA CORPORATION LTD

.....Defendant

Through: Mr. Abhishek Kotnala (VC),
Advocate

CORAM:

JOINT REGISTRAR (JUDICIAL) Dr. AJAY GULATI

ORDER

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22.12.2025

I.A. 32404/2025 filed by plaintiff seeking amendment in the list of witnesses and to substitute the earlier witness Mr. Gaurav Kumar with Mr. Rahul Pant.

1. Ld. Counsel for the defendant accepts notice and submits that although there is no objection to the prayer made in the application, he is raising strong objections to the manner in which the application has been drafted by incorporating the history of the trial which was not required at all for the purposes of the present application.

2. It is made clear that the present **application is disposed off as allowed** by only considering the relevant reasons which have been mentioned for seeking substitution of the witness. Affidavit of the substituted witness has been filed alongwith the



application. However, since the date of the affidavit is 21.11.2025, the affidavit needs to be filed bearing the date post 22.12.2025 or of 22.12.2025. Ld. Counsel for the plaintiff submits that there shall be no factual additions / amendments in the affidavit except for consequential changes required on account of substituting the witness. The affidavit of the witness be filed within four weeks. The same be also filed in physical form also. Advance copy of the same be supplied to the opposite counsel.

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

DECEMBER 22, 2025/sk