



\$~26

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

+ **CS (COMM) 1222/2018, I.As. 15222/2018, 194/2019, 1044/2019, 1045/2019, 1046/2019, 1727/2019, 1956/2019, 2202/2019, 5297/2019, 6261/2019, 6262/2019 & 6263/2019**

COMMUNICATION COMPONENTS ANTENNA INC. Plaintiff

Through: Mr. C. S. Vaidyanathan and Mr. Rajeev Virmani, Senior Advocates with Mr. Sidhant Goel, Mr. Mohit Goel, Mr. Samik Mukherjee, Mr. Aditya Goel, Mr. Deepankar Mishra and Mr. Anirudh Gupta, Advocates.

versus

ACE TECHNOLOGIES CORP. AND ORS. Defendants

Through: Mr. Arun Kathpalia, Senior Advocate with Mr. Shantanu Tyagi, Ms. Apoorva Murali and Ms. Surabhi, Advocates for D-1 to 4. (M:9971161282)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% 01.05.2019

I.A. No. 6263/2019 (for filing additional documents)

1. This is an application on behalf of the Plaintiff seeking permission to file additional documents. The additional documents are in the form of customs data in one page containing two entries in order to show the import made by the Defendants. Ld. Senior counsel for the Defendants does not dispute that the sale has been made as reflected in the said data.
2. Accordingly, the I.A. is disposed of taking the said document on record. However, the counsel for the Plaintiff is directed to place on record



a certificate issued by the agency which procured this data along with the invoice, within a period of two weeks.

I.A. No. 2202/2019 (for filing additional documents)

3. By this application, the Plaintiff prays for permission to place on record additional documents in the form of customs related data of imports of the Defendants' antennas. The data, filed by way of index dated 18th December, 2018, is taken on record subject to being proved in accordance with law at the time of trial. However, the counsel for the Plaintiff is directed to place on record a certificate issued by the agency which procured this data along with the invoice, within a period of two weeks.

4. I.A. is disposed of.

I.A. No. 6261-62/2019(for condonation of delay)

5. These are applications filed by the Defendants seeking condonation of delay in filing the replies to the injunction application. The delay is condoned. The replies are taken on record. I.As are disposed of.

I.A. No. 1727/2019 (for condonation of delay)

6. This is an application filed by the Plaintiff seeking condonation of delay of one day in filing the reply to the Defendants' application seeking leave to supply antenna model no. XXDW-18-33i-IVT-DB8P . The delay is condoned. The reply is taken on record. I.A. is disposed of.

I.A. No. 1956/2019 (for de-sealing of sealed cover)

7. Ld. Senior counsel for the Plaintiff seeks de-sealing of the information contained in the sealed cover, which has been filed by the Defendants. The Ld. Counsel for the Plaintiff does not dispute that this information is already in the public domain. Ld. Sr. Counsel Mr. Vaidyanathan submits that the present application is not pressed at this



stage. I.A. is dismissed as not pressed at this stage.

I.A. Nos. 194/2019 and 5297/2019

8. These are applications seeking permission to supply Antenna Model Number XXDW-18-33i-IVT-DB8, and seeking to place on record the purchase orders for supply of Antenna Model Number XXDW-18-33i-IVT-DB8P-V2. The purchase orders have already been placed on record. On the last date i.e. 10th April, 2019, the Court had already directed that the terms, if any, in respect of the supplies made under these purchase orders would be determined by this Court after hearing the applications for interim injunction, and the Defendants shall abide by the same.

9. With these observations, I.As are disposed of.

I.A Nos. 15222/2018, 1044/2019, 1045/2019 & 1046/2019 in CS (COMM) 1222/2018

10. Mr. Arun Kathpalia, Id. Senior Advocate appearing for the Defendant Nos.1 to 4 has made further submissions on behalf of the Defendants.

11. List on 6th May, 2019 at 3:30 pm for the Defendants to conclude their submissions.

12. List on 10th May, 2019 at 2:30 pm for the Plaintiff's rejoinder submissions.

PRATHIBA M. SINGH, J.

MAY 01, 2019/b/dk