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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 1222/2018, I.A. 13482/2019 (O-XXV R-1(1) CPC),
CC(COMM) 7/2020 and I.A. 10917/2021(O-XXXIX R-4 of CPC)

COMMUNICATION COMPONENTS

ANTENNA INC.

..... Plaintiff

Through: Mr.Gaurav Pachnanda, Sr. Advocate
with Mr.Ankit Jain, Mr.Siddhant
Goel, Mr.Mothit Goel, Mr.Aditya
Goel, Mr.Deepankar Mishra, Ms.Avni
Sharma, and Mr.Kaustubh Kapoor,
Advocates

versus

ACE TECHNOLOGIES CORP. AND ORS.

..... Defendants

Through: Mr.Vineet Rohilla and Mr.Rohit
Rangi, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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08.05.2023

I.A. 13481/2019 (O-XXXIX R-1 & 2 of CPC)

1. Vide this application, the plaintiff seeks extension of the interim order passed by this Court on 12th July, 2019 to model number XXDWH-19-33ie-VT-DB-8P.

2. Senior counsel appearing on behalf of the plaintiff submits that the order dated 12th July, 2019 was challenged by way of appeal filed by the defendants, which was dismissed by the Division Bench of this Court vide order dated 10th April, 2023. It is submitted that in terms of the aforesaid order of the Division Bench, the defendants are required to deposit a bank guarantee for a sum of 10% of their sales proceeds in respect of the four models being Model-1, Model-2, Model V2 and Model 4P, as set out in the



plaint.

3. It is the case of the plaintiff that the aforesaid antenna model number XXDWH-19-33ie-VT-DB-8P is almost identical to beam patterns of antenna model number XXDW-18-33i-IVT-DB8P and therefore, the order passed by this Court on 12th July, 2019 as confirmed on 10th April, 2023, should also be made applicable to the said model.

4. Counsel for the defendants submits that he has received communication by way of email from the defendants asking them not to appear further in the present matter and that the defendants would be making alternate arrangements.

5. Counsel for the defendants seeks time to application seeking discharge from the present matter.

6. In the interest of justice, adverse orders are deferred.

7. Pursuant to the order passed by this Court on 10th March, 2022, sales figures till March, 2022 in respect of the aforesaid model have been filed by the defendants in a sealed cover. Registry is directed to permit the plaintiff to open the sealed cover and inspect the aforesaid sales figures filed by the defendants.

8. The defendants are further directed to file complete up-to-date sales figures from March, 2022 till 31st May, 2023 in respect of antenna model number XXDW-18-33i-IVT-DB8P within four weeks from today. Thereafter, the defendants shall continue to file sales figures of the aforesaid model on a half-yearly basis during the pendency of the suit.

9. List the application for further hearing on 6th July, 2023.

AMIT BANSAL, J

MAY 8, 2023/sr