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

+ **CS(COMM) 1222/2018 & I.A. 5288/2024**

COMMUNICATION COMPONENTS ANTENNA INC..... Plaintiff

Through: Mr. J. Sai Deepak, Mr. Mohit Goel,
Mr. Sidhant Goel, Mr. Deepankar
Mishra and Mr. Aditya Goel, Advs.

versus

ACE TECHNOLOGIES CORP. AND ORS. Defendants

Through: Mr. Shubham Kaushik, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **22.03.2024**

I.A. 5288/2024 [seeking rejection of evidence affidavit filed by defendants]

1. This application has been filed by plaintiff under Order XIX Rule 5 of the Code of Civil Procedure, 1908 seeking rejection of documents filed by defendants by way of evidence affidavit of Mr. Ranjeet Kumar Singh (DW-2).
2. It is pointed out by Mr. J. Sai Deepak, counsel for plaintiff that the documents sought to be placed through the said affidavit by way of evidence happen to be the same documents which were rejected by this Court *vide* order dated 29th February, 2024 while dismissing **I.A. 4836/2024**.
3. Counsel for defendants also confirms that it is indeed the same set of documents noted as Documents 1-6 in paragraph 3 of **I.A. 4836/2024**.
4. It is evident that the same documents which have already been rejected on a prior occasion by this Court cannot be introduced as additional



documents by way of affidavit of evidence.

5. Accordingly, the present application is allowed and the documents filed along with DW-2's affidavit by way of evidence shall not be taken on record.

6. Only reference to the said documents in the said affidavit by way of evidence will be struck off.

7. Application is disposed of.

8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 22, 2024/MK/sc