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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 1208/2024 & I.A. 49867/2024, I.A. 49868/2024, I.A.
49869/2024

TWENTY FOUR SEVEN RETAIL STORE PRIVATE LIMITED &
ANR.Plaintiffs

Through: Mr. Sandeep Sethi, Sr. Advocate with
Ms. Simran Lakhwinder Singh, Mr.
Toyesh Tewari and Mr. Agastya Sen,
Advocates
Mob: 9711995570

versus

GODFREY PHILIPS INDIA LIMITEDDefendant

Through: Mr. Rajiv Nayar, Sr. Advocate with
Ms. Amita Katragadda, Ms. Surabhi
Khattar, Ms. Kamakshi Puri, Mr.
Manthan Nagpal, and Ms. Prachi Jain,
Advocates
Mob: 9205173675
Email: nagpalmanthan@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
24.12.2024

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I.A. 49869/2024 (Exemption from filing original and certified copies of documents)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the plaintiffs, seeking exemption from filing clear/ typed copies of dim, illegible documents.
2. Exemption is granted, subject to all just exceptions.
3. Plaintiffs shall file legible, clear, and translated copies of the



documents, on which the plaintiffs may seek to place reliance, before the next date of hearing.

4. Accordingly, the present application is disposed of.

I.A. 49868/2024 (Exemption from instituting Pre-Institution Mediation)

5. The present is an application under Section 12A of the Commercial Courts Act, 2015, read with Section 151 of CPC, seeking exemption from undergoing Pre-Institution Mediation.

6. Issue notice. Notice is accepted by learned counsel appearing for the defendant.

CS(COMM) 1208/2024

7. Let the plaint be registered as suit.

8. Issue summons to the defendant. Summons is accepted by learned counsel appearing for the defendant.

9. Learned Senior Counsel appearing for the defendant, on instructions, submits that the defendant's business, in relation to the subject matter of the suit, stopped from 31st July, 2024 and that the user of the mark '24Seven Trademarks' was stopped from 10th October, 2024, when the same was communicated to the plaintiff by way of letter dated 10th October, 2024.

10. The aforesaid statement is recorded and the defendant is held bound by the same.

11. Let written statement be filed by the defendant within thirty days from today. Along with the written statement, the defendant shall also file affidavit of admission/denial of the plaintiff's documents, without which, the written statement shall not be taken on record.

12. Liberty is given to the plaintiff to file replication within thirty days from the date of receipt of the written statement. Further, along with the



replication, if any, filed by the plaintiff, an affidavit of admission/denial of documents of the defendant, be filed by the plaintiff, without which, the replication shall not be taken on record. If any of the parties wish to seek inspection of the documents, the same shall be sought and given within the timelines.

13. List before the Joint Registrar (Judicial) for marking of exhibits, on 21st February, 2025.

14. List before the Court on 21st March, 2025.

I.A. 49867/2024 (Application under Order XXXIX Rules 1 and 2 CPC)

15. Issue notice to the defendant. Notice is accepted by learned counsel appearing for the defendant.

16. Reply be filed within a period of four weeks, from the date of service.

17. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

18. List before the Court on 21st March, 2025.

MINI PUSHKARNA, J

DECEMBER 24, 2024

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