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

+ **CS(COMM) 223/2023**

**DR REDDY S LABORATORIES LIMITED** ..... Plaintiff

Through: Mr. Ranjan Narula, Mr. Shashi P.  
Ojha & Ms. Shivangi Kohli,  
Advocates.

versus

**NEUTEC HEALTHCARE PVT. LTD** ..... Defendant

Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

**11.01.2024**

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**I.A. 7164/2023 (Under Order XXXIX Rules 1 and 2 of CPC)**

1. Counsel for plaintiff draws attention to the fact that pursuant to order of this Court dated 24<sup>th</sup> April, 2023 passing an *ad-interim* injunction in favour of plaintiff and against the defendant for restraining the latter from using the impugned mark PACTRIN and the trade dress of defendant, being deceptively similar to that of the plaintiff along with other attendant directions, defendant has not entered appearance.
2. In order dated 23<sup>rd</sup> November, 2023 passed by Joint Registrar (Judicial) noted that the defendant was served on 17<sup>th</sup> May, 2023, but neither the written statement nor any response to the application was filed. The opportunity to file written statement by the defendant in this regard was, therefore, closed.



3. In view of the above facts and circumstances, defendant is proceeded *ex parte*; order dated 24<sup>th</sup> April, 2023 is made absolute.
4. Accordingly, application filed under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, 1908 ("CPC") stands disposed of.
5. Counsel for plaintiff states that they will, pursuant to obtaining necessary instructions, file an application under Order 13A of CPC for seeking summary judgment.
6. List on 30<sup>th</sup> April, 2024.
7. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**JANUARY 11, 2024/MR/sc**