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

+ CS(COMM) 565/2025, I.A. 14076/2025, I.A. 14077/2025, I.A. 14078/2025 & I.A. 14079/2025

NOVO NORDISK AS

.....Plaintiff

Through: Mr. Sandeep Sethi, Senior Advocate with Mr. Sanjeev Kumar Tiwari, Ms. Deepa K. Tikku, Mr. Amrish Tiwari, Mr. Abhishek Jan, Mr. Shatadal Ghosh and Mr. Pramod Kumar, Advocates.

versus

DR. REDDYS LABORATORIES LIMITED & ANR.

.....Defendants

Through: Dr. Abhishek Manu Singhvi, Mr. Mukul Rohatgi, Mr. Gaurav Pachnanda, Mr. Chander M. Lall, Mr. J. Sai Deepak, Senior Advocates with Mr. Mohit Goel, Mr. Sidhant Goel, Mr. Aditya Goel, Mr. Deepankar Mishra, Mr. Kartikeya Tandon, Mr. Amit Sharma, Ms. T. Lawrence, Mr. Avinash K. Sharma, Mr. Keshav and Ms. Annanya Mohan, Advocates for D-1 and 2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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29.05.2025

I.A. 14077/2025 (exemption from filing notarized, apostilled and certified documents)

1. Allowed, subject to just exceptions.
2. The plaintiff is exempted from filing notarized, apostilled and certified documents at this stage.
3. The application stands disposed of.

I.A. 14078/2025 (u/S 12-A of the Commercial Courts Act, 2015)

4. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.
5. The application stands disposed of.

I.A. 14079/2025 (u/O XI Rule 1 (4) of CPC, 1908)

6. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents under the Commercial Courts Act, 2015.
7. The plaintiff is permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.
8. Accordingly, the application is disposed of.

CS(COMM) 565/2025

9. Let the plaint be registered as a suit.
10. Issue summons.
11. Counsel appearing on behalf of defendants no.1 and 2 accept summons in the suit and waive issuance of formal summons.
12. Written statement(s) shall be filed by the defendants within thirty days. Along with the written statement(s), the defendants shall also file affidavit of admission/denial of the documents of the plaintiff, without

which the written statement(s) shall not be taken on record.

13. Liberty is given to the plaintiff to file replication(s), if any, within thirty days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiff, an affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.

14. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

15. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

16. List on 19th August, 2025.

I.A. 14076/2025 (O-XXXIX Rule 1 & 2 of CPC)

17. Issue Notice.

18. Notice is accepted by counsel appearing on behalf of defendants no.1 and 2.

19. Reply(ies) be filed within four (4) weeks.

20. Rejoinder(s) thereto, if any, be filed within two (2) weeks thereafter.

21. Dr. Abhishek Manu Singhvi and Mr. Mukul Rohatgi, Senior Counsel appearing on behalf of the defendants no.1 and 2 respectively, submit as under:-

- i. The defendants have a licence to manufacture the impugned drug, which was granted in December 2024, and have begun manufacturing the impugned drug in April 2025.
- ii. The defendants do not have a licence to sell the impugned drug in

India till date. Therefore, the defendants shall not sell the impugned drug in India. However, the defendants reserve their right to export the impugned drug in countries where the plaintiff has not been granted a patent yet.

22. The aforesaid statements are taken on record. Dr. Singhvi and Mr. Rohatgi submit that the aforesaid statements shall bind the defendants till the next date of hearing.

23. Mr. Sandeep Sethi, Senior Counsel submits that as per the scheme of the Patent Act, 1970, even the export of an infringing product amounts to infringement.

24. The aforesaid submission as well as other submissions of the parties shall be considered on the next date of hearing after pleadings in the application are complete.

25. List on 19th August, 2025.

AMIT BANSAL, J

MAY 29, 2025

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