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

+ **CS(COMM) 443/2023 & I.A. 11981/2023.**

**SUN PHARMACEUTICAL INDUSTRIES LTD. .... Plaintiff**

Through: Mr. Sachin Gupta, Adv (through VC)  
Mr. Rohit Pradhan, Ms. Prashansa  
Singh & Ms. Ashna Narang, Adv.

versus

**M/S. ORISON PHARMACEUTICALS ..... Defendant**

Through: Mr. Rahul, Adv, (through VC)

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

**ORDER  
10.04.2024**

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1. As per order dated 6<sup>th</sup> July, 2023, directions had been passed in para 6 that defendant shall provide details of stocks bearing the impugned marks as well as figures of sales of such products.
2. Counsel for defendant states that a statement was already made in para 8 of the written statement that, due to unprecedented rains in the area where premises of defendant firm are located on the night of 9<sup>th</sup> and 10<sup>th</sup> July, 2023, water levels rose to 8-10 ft., and most of the records and computer systems were destroyed. Therefore, defendant has nothing further in possession in relation to said details. Further, that pursuant to injunction granted on 6<sup>th</sup> July, 2023, defendant has stopped using impugned marks in any case and therefore no further records were generated.
3. Counsel for defendant states that they shall file, at best, the balance sheet of the firm for Financial Years 2021-22 and 2022-23, which may be done within 4 weeks with copies to opposing counsel.



4. List this matter before Joint Registrar for further proceedings on 7<sup>th</sup> May, 2024.
5. Despite it being noted in para 4 of previous order dated 18<sup>th</sup> January, 2024, that the nature of controversy is similar to that in CS (COMM) 459/2022, this matter is still being listed before this Court.
6. Accordingly, list on 5<sup>th</sup> August 2024.
7. Interim orders to continue till then.
8. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**APRIL 10, 2024/sm/rj**

*Click here to check corrigendum, if any*