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

+ **CS (COMM) 15/2022 & I.As. 360-61/2022**

NOVARTIS AG

..... Plaintiff

Through: Ms. Mamta Rani Jha, Mr. Saif Rahman Ansari and Ms. Garima Mehta, Advocates. (M:9873137032)

versus

MSN LABORATORIES PVT. LTD.

..... Defendant

Through: Mr. J. Sai Deepak, Mr. Avinash Sharma and Mr. Ankur Vyas, Advocates. (M:8130459281)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **29.07.2022**

1. It is submitted by Mr. Sai Deepak, Id. Counsel, that the affidavit in terms of order dated 4th July, 2022 by which the application being **I.A. 9918/2022** under Order XXXIX Rule 2A CPC was disposed of, has been prepared and shall be filed within the course of the day. Let the copy of the same be handed over to Id. Counsel for the Plaintiff.

2. Insofar as the application for stay is concerned, a perusal of the order dated 10th January, 2022 shows that the *ad interim* injunction was granted following the judgment in **Novartis AG v. Natco Pharma Ltd. 2021 SCC OnLine Del 5340**. It is submitted by Id. Counsels for the parties that an appeal was preferred challenging the said judgment and the Id. Division Bench has reserved the same for orders. Accordingly, as and when the said orders are pronounced, the same shall be brought to the notice of this Court. Until further orders, the interim injunction as granted on 10th January, 2022



shall continue.

3. The application ***I.A. 360/2022*** is disposed of in the above terms.
4. The application ***I.A. 361/2022*** for appointment of local commissioner is disposed of as infructuous.
5. Let the joint document schedule be filed by the parties.
6. List before the Joint Registrar on 22<sup>nd</sup> September, 2022, the date already fixed.
7. List before the Court on 18<sup>th</sup> October, 2022.

**PRATHIBA M. SINGH, J.**

**JULY 29, 2022/dk/sk**