

A.Nos. 226 of 2016 & 4375 of 2015
in
C.S.No. 677 of 2014

R.SUBRAMANIAN, J.

These two applications have been filed seeking to delete the name of the defendants 4 and 5 from the array of parties. The prayer in the suit as against the defendants 4 and 5 reads as follows:-

"Of mandatory injunction directing the 4th and 5th defendants to give a status, verification and authentication report of the plaint schedule e-mails to the plaintiff."

2. The applicants namely, defendants 4 and 5 in their affidavits have stated that pursuant to a Subpoena issued by the United States District Court, Northern District, California, in Civil Action No. 5:14 CV-04103, the 4th defendant has produced the authenticated copies of the e-mails along with hash values corresponding to each of the files produced along with the certificate for authentication before the said Court and copies of the same have also been produced in the form of typed set filed by the defendants 1 to 3 in the suit.

3. In view of the same, their presence is no longer required in the suit. This application is opposed by the plaintiff contending that at the time of trial, the presence of respondents 4 and 5 may be required for deposition.

R.SUBRAMANIAN, J.

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4. Considering the prayers sought for, I do not think their presence is required as parties to the suit any longer. As regards the prayer for mandatory injunction, the same has now been complied with in as much as the copies of the e-mails, which are the subject matter of the suit along with required authentication have been produced before the Court having its jurisdiction in United States and the copy of the same have been produced by the defendants in this suit also. Hence, the defendants 4 and 5 are deleted from the array of parties in the suit. In fine, A.Nos. 226 of 2016 & 4375 of 2015 will stand allowed.

29.08.2019

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