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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 427/2019 & I.A. 11001/2019

RELIGARE ENTERPRISES LIMITED

..... Plaintiff

Represented by: Mr.Ashish Dholakia, Adv. with
Mr.Sandeep D.Das, Mr.Anurag
Mishra, Ms.Surbhi Sharma, Advs.

versus

**LOANCORE SERVICING SOLUTIONS PRIVATE LIMITED &
ORS.**

..... Defendant

Represented by: Mr.Rahul, Adv. with Mr.Nitin
Mishra, Mr.Vikas Bhaduria, Advs. for
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CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.03.2020

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CS(COMM) 427/2019

1. Defendant Nos. 2 and 3 have already been proceeded ex parte vide order dated 13th February, 2020. No written statement and affidavit of admission-denial is on record. It is also not clear as to whether the written statement and affidavit of admission-denial was filed within 120 days of the service of defendant No. 1 which was on 14th August, 2019.

2. The suit was adjourned for today at the request of the learned counsel for the defendant No. 1. Today, learned counsel for the defendant No. 1 states that the defendant No. 1 has no objection if the interim order dated August 14, 2019 in the application under Order XXXIX Rule 1 and 2 CPC is

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made absolute and the suit is decreed in terms of the interim injunction as also in terms of prayers (a) to (d) and defendant No. 1 is restrained from taking any action in a Foreign Court except in India. Learned counsel for the defendant No. 1 further clarifies that the defendant No. 1 has till date, not instituted any suit/legal proceedings against the plaintiff for the same cause of action in any Foreign Court and in case, the same is instituted, the defendant No. 1 will withdraw the said suit/legal proceedings.

3. Defendant Nos. 2 and 3 being ex parte and the defendant No. 1 having no objection to the suit being decreed in terms of prayers (a) to (d) with the qualification that the defendant No.1 will not institute any legal proceedings in any Foreign Court except in India, learned counsel for the plaintiff has also no objection if the suit is decreed in terms as stated by the learned counsel for the defendant No. 1.

4. Consequently, the suit is decreed in favour of the plaintiff and against the defendant Nos. 1 to 3 in terms of prayers (a), (b), (c) and (d) in the suit with the further qualification that the defendants will not institute any suit/legal proceedings in respect of the cause of action in the present suit against the plaintiff in any Foreign Court except in India.

5. No order as to costs.

I.A. 11001/2019 (under Order XXXIX Rule 1 and 2 CPC)

Application is dismissed as infructuous.

MUKTA GUPTA, J.

MARCH 03, 2020/akb