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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 911/2024**
SUN PHARMACEUTICAL INDUSTRIES LTDPetitioner

Through: Mr. Sachin Gupta with Mr. Rohit
Pradhan, Advocates.

versus

MS MAXX FARMACIA INDIA LLP & ANR.Respondents

Through: Mr. Sanchit Bhushan with Mr. Sanjit
Singh, Advocates for respondent
Nos.1 and 2.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

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ORDER
19.11.2024

**CONT.CAS(C) 911/2024 & CM APPL. 60474/2024 (under Order
XXXIX Rule 1 & 2 CPC)**

1. The present petition has been filed alleging wilful disobedience of order dated 15.05.2018 passed by a coordinate Bench of this Court in CS (Comm.) No.12/2018.
2. The alleged two contemnors i.e. Sh. Gagan Bansal and Sh. Aayush Srisimal are present in Court and they both have filed their respective affidavits, in original, in the Court and same are taken on record.
3. These be made part of e-file. Copies thereof have been supplied to learned counsel for the petitioner.
4. Learned counsel for the petitioner submits that in view of the facts mentioned in such affidavit, he does not, at the moment, press the

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present petition. He, however, seeks liberty to come again in case the compliance is not in terms of the above said order dated 15.05.2018. He also submits that despite being entitled, he is not seeking damages and compensation from the contemnors in view of the above said affidavits. However, at the same time, it is submitted that in case he is compelled to approach this Court again, he would seek such damages and compensation from the respondents.

5. In the affidavit of Sh. Aayush Srisimal, he has undertaken that he shall destroy the existing products i.e. 7000 tubes within two days from today which contain trademark/label 'VOVIMAXX'. The aforesaid contemnor has no objection if the destruction is carried out in the presence of an authorized representation of the petitioner.

6. Let it be done accordingly.

7. Let the compliance affidavits be filed by both the respondents within eight weeks from today for record purpose.

8. As noted already, in view of the aforesaid affidavits filed today, learned counsel for the petitioner states that he does not press his present contempt petition.

9. Accordingly, the present petition is disposed of in the aforesaid terms. Liberty, as prayed, is granted.

10. The next date of 14.02.2025 is cancelled.

MANOJ JAIN, J

NOVEMBER 19, 2024/st