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

+ FAO(OS) 104/2023, CM APPL. 49548/2023, CM APPL. 57375/2023, CM APPL. 55026/2025, CM APPL. 55110/2025
MS ION EXCHANGE INDIA LTDAppellant

Through: Ms Ana Upadhyay, Adv.

versus

MS ZICO ENVIRONMENTAL SOLUTIONS PVT. LTD. & ORS.Respondents

Through: Mr. Pardeep Dhingra, Mr. Archit Relan, Mr. Nishant Kumar, Mr. Deepanshu Dhama, Adv.

+ FAO(OS) 109/2023, CM APPL. 51024/2023, CM APPL. 55025/2025
M/S ION EXCHANGE (INDIA) LTD.Appellant

Through: Ms Ana Upadhyay, Adv.

versus

M/S ZICO ENVIRONMENTAL SOLUTIONS PVT. LTD. & ORS.Respondents

Through: Mr. Pardeep Dhingra, Mr. Archit Relan, Mr. Nishant Kumar, Mr. Deepanshu Dhama, Adv.

+ FAO(OS) 59/2025, CM APPL. 29289/2025, CM APPL. 55027/2025
M/S ULTRAPURE ENVIROCARE PVT. LTD. AND ORS.

.....Appellants

Through: Mr. Paritosh Anil, Adv.

versus



M/S ZICO ENVIRONMENTAL SOLUTIONS PVT. LTD.
AND ORS.Respondents

Through: Mr. Pardeep Dhingra, Mr.
Archit Relan, Mr. Nishant
Kumar, Mr. Deepanshu Dhama,
Advs.

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER

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03.09.2025

1. With the consent of learned counsel representing the parties, the present Appeals shall stand disposed of by this common order.
2. A perusal of the record reflects that FAO(OS) 104/2023 has been filed by the Appellant, who is not a party to the suit.
3. FAO(OS) 109/2023 has been filed against an order dated 25.09.2023 passed by the learned Single Judge, whereby Notice was issued to the Defendants in an application filed under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908 [hereinafter referred to as 'CPC'] and the learned Single Judge proposed to initiate proceedings against the Defendants under The Contempt of Courts Act, 1971 for disobeying the orders passed by the learned Single Judge.
4. FAO(OS) 59/2025 has been filed by the Appellants assailing the correctness of an order dated 22.04.2025 passed by the learned Single Judge, whereby an application under Order XXXIX Rule 4 of the CPC was dismissed.
5. Originally, the Respondent Nos.2 and 3 were restrained *vide* order dated 30.07.2020. The Application filed under Order XXXIX



Rule 1 and 2 of the CPC is yet to be decided by the learned Single Judge.

6. Subsequently, on the application filed under Order XXVI Rule 9 of the CPC, the learned Single Judge appointed a Local Commissioner to examine all the computers, laptops, tablets etc. and directed to copy the data belonging to the Plaintiff, if found, during the inspection. A perusal of the record reflects that before the present Appeals could be heard, the Local Commissioner retrieved all the data, which is in the custody of this Court. On 22.09.2023, operation of the Impugned Order dated 14.09.2023 was stayed in FAO(OS) 104/2023.

7. The Respondents/Plaintiffs have also filed an application under Order VI Rule 17 read with Order I Rule 10 of the CPC to implead the Appellant in FAO(OS) 104/2023 before the learned Single Judge.

8. Keeping in view the aforesaid facts, this Court deems it appropriate to dispose of the present Appeals with the following observations:

i. The learned Single Judge will take up and decide the application under Order VI Rule 17 read with Order I Rule 10 of the CPC filed by the Plaintiff.

ii. The learned Single Judge will also take up and decide the application filed under Order XXXIX Rule 1 and 2 of the CPC. The application filed under Order XXXIX Rule 1 and 2 of the CPC shall be decided uninfluenced by the Impugned Order dated 22.04.2025 passed in I.A. 6186/2024.

9. This Court has examined the various orders passed in the present Appeals and does not deem it appropriate to recall the awarded cost on Rs.1,00,000/- imposed on the Appellant in FAO(OS) 104/2023



and FAO(OS) 109/2023. However, the Registrar General of this Court is directed to return the cost of Rs.1,00,000/- deposited by the Appellant in FAO(OS) 59/2025.

10. The present Appeals stand disposed of with the foregoing direction.

11. A photocopy of the order passed today be kept in the connected matters.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

SEPTEMBER 03, 2025/jn/rgk