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

+ **CS(COMM) 894/2024 & I.A. 41916/2024, I.A. 41921/2024**

SOCIETE DES PRODUITS NESTLE S A AND & ORS.

.....Plaintiffs

Through: Mr. Manish Mishra, Mr. Hemant
Singh and Ms. Saloni Kasliwal,
Advocates

versus

MOHAN BHAGWAN KATOLE

.....Defendant

Through: Ms. Raashi Beri, Advocate along with
defendant in person

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **07.08.2025**

1. Defendant is present in Court and is represented by his counsel.
2. Learned counsel for the Defendant states on instructions from Defendant that Plaintiff and Defendant have arrived at an understanding that Defendant has no objection if the suit is decreed in terms of prayer clause at paragraph '28(i)' to '28(iii)' of the plaint.
- 2.1. She states that Defendant has executed an affidavit of undertaking today declaring that he does not have in his possession any information/data, proprietary data/copyright information of the Plaintiff. The relevant para '4' of the undertaking reads as under:-

“4. I am presently not in possession of any information/data, proprietary data/ copyright information of the plaintiff, and shall not use, divulge, utilize the information if found, in future.”



2.2. She has handed over a copy of the said affidavit of undertaking and states that the same has been e-filed during the course of the day vide e-diary no. 5585638/2025.

3. The original of the affidavit of undertaking has been handed over to the counsel for the Plaintiff to be kept in the custody of the Plaintiff.

4. Learned counsel for the Plaintiff states that in view of the aforesaid affidavit of undertaking given by the Defendant, the counsel has been instructed by the Plaintiff to not press for cost and seek disposal of the suit in terms of prayer clause at paragraph '28(i)' to '28(iii)' of the plaint. He has handed over an e-mail received from the plaintiff. He states that Plaintiff is not pressing the relief sought at prayers enlisted in paragraph '28(iv)' and '28(v)' of the plaint.

5. This Court has perused the affidavit of undertaking and the e-mail.

6. The affidavit of undertaking of the Defendant is accepted and registry is directed to place the same on record.

7. In view of the said affidavit of undertaking and the statement of the Plaintiff, the suit is hereby decreed in terms of prayer clause at paragraph '28(i)' to '28(iii)' of the plaint.

8. The suit vis-à-vis prayers enlisted in paragraph '28(iv)' and '28(v)' of the plaint is hereby dismissed as not pressed.

9. The Registry is directed to draw up a decree in terms of this order and the affidavit of undertaking shall form part of the said decree.

Release of Hard Discs

10. Learned counsel for the Plaintiff states that the hard discs seized by the Local Commissioner in pursuance of the order dated 16.10.2024 have been deposited with the Registry vide e-diary no. 4823739/2024.



8.1. He states that in view of the understanding/settlement arrived between the Plaintiff and the Defendant, the said hard discs may be released to the Plaintiff, since they contain the proprietary information of the Plaintiff.

11. The Defendant has no objection to this relief.

12. Accordingly, the Registry is directed to release the sealed envelope deposited by the Local Commissioner to the Plaintiff's counsel in accordance with the Rules.

13. Pending applications stand disposed of.

14. Future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J

AUGUST 7, 2025/rhc