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

+ **CS(COMM) 1289/2025& I.As. 30289-94/2025**

RAQUALIA PHARMA INC & ANR.

.....Plaintiffs

Through: Mr. Pravin Anand, Ms. Vaishali Mittal, Mr. Siddhant Chamola and Mr. Gursimran Singh Narula, Advocates

versus

HETERO LABS LIMITED & ANR.

.....Defendants

Through: Ms. Rajeshwari H. and Mr. Tahir A. J., Advocates

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **10.12.2025**

1. This order is being passed in furtherance of the order dated 04.12.2025.
2. The present suit has been filed by the Plaintiffs seeking decree of permanent injunction restraining the Defendants from using, making, selling, distributing, advertising, exporting, offering for sale, importing and/or in any other manner dealing in any product comprising 'Tegoprazan' including pharmaceutical compositions, API, finished formulations or any other form that infringes the subject matter of Indian Patent No. 259125 ['Suit Patent'] comprising 'Tegoprazan'.
3. The matter was first listed on 04.12.2025, on which date the learned counsel for the Defendants informed this Court that the Defendants acknowledge the exclusive rights of the Plaintiffs during the validity of the



Suit Patent. The Defendants informed that presently they are only doing clinical trials and gave an undertaking that they will not commercially launch the drug-Tegoprazan prior to 06.12.2026 i.e., the expiry of the Suit Patent. It was stated that the Defendants will also file affidavit(s) in this regard.

4. Ms. Rajeshwari H., learned counsel for the Defendants states that the Defendants have filed their respective affidavit(s), both dated 05.12.2025 in terms of Order dated 04.12.2025.

5. Mr. Pravin Anand, learned counsel for the Plaintiffs state that the Plaintiffs have perused the said affidavit(s) filed by Defendant Nos. 1 and 2 and is satisfied with the same. He prays that the suit may be disposed of in terms of the relief of permanent injunction prayed for at paragraph 56(a) of the plaint.

6. Ms. Rajeshwari H., learned counsel for the Defendants state that the Defendants have no objection to the said relief.

7. In view of the aforesaid, no contest, the suit for the relief of permanent injunction is decreed in favour of the Plaintiffs and against the Defendant in terms of paragraph 56(a) of the plaint.

8. The remaining reliefs sought at paragraph 56(b), (c), (d) and (e) are disposed of as not pressed.

9. The Registry of this Court is directed to prepare a decree in terms of this order.

Refund of Court Fees

10. Mr. Pravin Anand, learned counsel for the Plaintiffs pray that since the suit has been settled on the second date of hearing itself, the Court may consider granting partial refund of 50% court fees.



11. Keeping in view the aforesaid facts, the Registry is directed to refund 50% Court Fee in favour of the Plaintiffs within four (4) weeks, in accordance with law. The said direction has been passed having regard to Section 16A of the Court Fees Act, 1870, read with Section 89 of the Code of Civil Procedure, 1908.
12. Pending applications, if any, are disposed of.
13. Future dates, if any, stand cancelled.
14. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
DECEMBER 10, 2025/rhc/MG