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

+ CS(COMM) 204/2026, I.A. 5544/2026, I.A. 5545/2026, I.A. 5546/2026,
I.A. 5547/2026 & I.A. 5548/2026

CHUGAI SEIYAKU KABUSHIKI KAISHA & ANR.Plaintiffs

Through: Mr. Pravin Anand, Mr. Shrawan
Chopra, Mr. Achyut Twarei, Ms. Krishna
Baweja and Mr. Parth Malhotra,
Advocates.

versus

LUPIN LIMITED & ANR.Defendants

Through: Mr. Jaspreet Singh Kapur, Ms. Archana
Sahadeva and Mr. Harshit Bhoi,
Advocates.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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27.02.2026

1. Mr. Jaspreet Singh Kapur, learned counsel appears on advance notice and post the instructions having been obtained in the morning session, he submits that the authorized representative of the defendants shall give an affidavit similar to the affidavit mentioned in para 7 of the Judgment dated 03.06.2022 passed by this Court in CS(COMM) 427/2021 titled '*Chugai Seiyaku Kabushiki Kaisha & Anr. vs. Natco Pharma Limited*'.

2. Mr. Pravin Anand, learned counsel appearing for the plaintiff, also states that so far as the websites of the defendant is concerned, where this particular product is shown under heading "Under Development", in case the defendants can put an asterisk and mention "*for the purposes of research under Section 107A of the Patents Act, 1970*", it would suffice the anxiety and grievance of the plaintiff.

3. Mr. Kapur, learned counsel for the defendants submits that though it may



not be necessary in view of the undertaking given by way of an affidavit, however, as an abundant precaution, that too shall be done by the defendants.

4. The affidavit shall be filed within two weeks, an advance copy whereof shall be furnished to the counsel for the plaintiff. The affidavit shall also mention the amendments/changes that are to be brought in the website of the defendants as mentioned above.

5. Learned counsel for the parties submit that the suit may be decreed in the aforestated terms.

6. The Suit is decreed and disposed alongwith all pending applications in above terms on the basis of the affidavit of undertaking to be furnished by the authorized representatives of the defendants.

7. Let the decree sheet be drawn up accordingly.

8. Under Section 16 of the Court Fees Act, 1870, may be refunded upon completion of all the formalities as per rules.

9. The suit is decreed and disposed of alongwith all pending applications.

TUSHAR RAO GEDELA, J

FEBRUARY 27, 2026

Sumit