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

+ CS(COMM) 272/2026, I.A. 7118/2026, I.A. 7117/2026, I.A. 7119/2026,
I.A. 7120/2026, I.A. 7121/2026, I.A. 7122/2026, I.A. 7123/2026 & I.A.
7124/2026

NOVO NORDISK A/S & ANR.

.....Plaintiffs

Through: Dr. Abhishekh Manu Singhvi and Mr.
Amit Sibal, Senior Advocates with Mr.
Hemant Singh, Ms. Mamta Jha, Mr.
Rishabh Paliwal, Mr. Shreyansh Gupta,
Mr. Sanchit Sharma, Mr. Saksham
Dhingra, Ms. Smriti Nair, Mr. Ankit
Handa and Mr. Amit Bhandari,
Advocates.

versus

TORRENT PHARMACEUTICALS LIMITED

.....Defendant

Through: Mr. Mukul Rohtagi, Mr. Rajiv Nayyar,
Mr. Dayan Krishnan, Mr. J. Sai Deepak,
Senior Advocates with Ms. Bitika
Sharma, Ms. Vrinda Pathak, Mr. Kapil
Midha, Mr. P.S Manjunathan, Ms.
Sandhya, Mr. Rajnish Kumar, Mr.
Sreedhar Kala, Ms. Manjeera, Mr.
Keshav, and Mr. Aditya Prakash,
Advocates.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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20.03.2026

I.A. 7118/2026(Additional Documents)

1. The present application has been filed on behalf of the plaintiffs under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 ('CPC') as applicable to commercial suits under the Commercial Courts Act, 2015 ('CC Act') seeking leave to place on record additional documents.
2. The plaintiffs are permitted to file additional documents in accordance



with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

3. Accordingly, the application stands disposed of.

I.A. 7117/2026 (Pre-Institution Mediation)

4. This is an application filed by the plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the CC Act.

5. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of pre-institution Mediation is granted.

6. The application stands disposed of.

I.A. 7119/2026 (Exemption)

7. This is an application filed on behalf of the plaintiffs under Section 151 of CPC seeking exemption from filing clearer/dim/illegible documents along with the captioned suit.

8. Exemption allowed, subject to just exceptions. However, true typed/translated/clear copies of the documents with proper margins be filed within two weeks with an advance copy to the defendant.

9. The application stands disposed of.

I.A. 7120/2026(seeking administration of interrogatories)

10. This Application has been filed by the Plaintiffs under Order XI Rules 2 and 5 of the CPC as amended by the CC Act read with Section 151 of CPC, seeking administration of interrogatories and production of the documents alongwith supporting affidavit.

11. Issue Notice.

12. Ms. Bitika Sharma, accepts notice on behalf of the defendant.

13. Let the reply to the application be filed within a period of four weeks from date. Rejoinder thereto, if any, be filed within a period of two weeks



thereafter.

14. List before the Joint Registrar on 22.05.2026 for completion of service and pleadings.

15. List before this Court on 24.04.2026.

I.A. 7121/2026 (Seeking Additional time to file Court fees)

15. The present application has been filed by the plaintiffs under Section 149 read with Section 151 of CPC, seeking exemption from payment of Court Fees at the time of the filing of the suit.

16. Considering the submissions made in the present application, an extension of two weeks is granted to affix the requisite court fees.

17. The application stands disposed of.

I.A. 7122/2026(Exemption)

18. This is an application filed on behalf of the plaintiffs under Section 151 of CPC seeking exemption from filing clear and true typed copies of the documents.

19. Exemption is allowed, subject to just exceptions. The clear and typed/translated copies of the documents with proper margins of the dim annexures be filed within four weeks with an advance copy to the defendants.

20. The application stands disposed of.

I.A. 7123/2026(Appointment of Local Commissioner)

21. The present application has been filed by the plaintiffs under Order XXVI Rule 9 read with Order XXXIX Rule 7 of CPC seeking appointment of Local Commissioners.

22. In the view of the submission in the affidavit and agreement between the parties under the I.A. 7116/2026, this application has been rendered infructuous.

23. The application stands disposed of.



I.A. 7124/2026 (Exemption)

24. This is an application filed on behalf of the plaintiffs under Section 151 of CPC seeking exemption from filing clear and true typed copies of the documents.

25. Exemption is allowed, subject to just exceptions. The clear and typed/translated copies of the documents with proper margins of the dim annexures be filed within four weeks with an advance copy to the defendants.

26. The application stands disposed of.

I.A. 7116/2026 (Under Order XXXIX Rules 1 and 2 of the CPC)

27. Present application has been filed on behalf of the plaintiffs under Order XXXIX Rules 1 & 2 of CPC, 1908 seeking *ex-parte ad-interim* injunction against the defendant.

28. Arguments of Dr. Abhishekh Manu Singhvi, Mr. Amit Sibal, learned senior counsel for plaintiffs and Mr. Mukul Rohtagi, Mr. Dayan Krishnan and Mr. J. Sai Deepak, learned senior counsel for the defendant have been heard at length for roughly two hours.

29. After some arguments, Mr. Dayan Krishnan and Mr. J. Sai Deepak, learned senior counsel for the defendant have handed over the affidavit of one Mr. Hasmukh Patel, who is the authorized representative (Chief Operating Officer) of the defendant, which is extracted hereunder:-

"AFFIDAVIT

I, Hasmukh Patel, S/o Mathurbhai Ishwardas Patel, aged about 58 years, the authorised signatory of the Defendant herein, having its registered offices at Avirat, Thaltej Shilaj Road, Ahmedabad, Shilaj, Ahmedabad, Gujarat, India, 380059, do hereby solemnly affirm and declare as under:

1. That I am the authorized signatory of the Defendant. I am aware of the facts and circumstances of the present case. I am authorized to swear and depose the present affidavit on behalf of the Defendant.



2. I state that the present affidavit is being filed under instructions by my Company to state and submit as under:

a. That indigenous product of the Defendant is not infringing the claims of the patent IN 325669 since the Defendant's product under CTRI number CTRI/2025/05/087221 has N-(8-(2-hydroxybenzoyl) amino) caprylic acid [SNAC] at 160 mg, which is 0.53 mmol, thereby falling outside the claimed range;

b. The Defendant is willing to keep accounts of sales of their product.

3. I have read the contents of the accompanying affidavit and I say that the contents therein are true to best of my knowledge.

--sd--
DEPONENT

VERIFICATION:

Verified at Ahmedabad on this 19th day of March, 2026 that the contents of the above affidavit are true to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

--sd--
DEPONENT"

The copy of the said affidavit is taken on record, however the defendant shall file the said affidavit within next the three working days. A copy of the affidavit is handed over to Dr. Abhishekh Manu Singhvi, learned senior counsel appearing on behalf of the plaintiffs.

30. After perusing the affidavit and deliberations, both the parties have agreed to the following directions, as an interim arrangement:-

- (i) The defendant has agreed to manufacture its products namely Semaglutide (Oral Tablet) 3mg, 7mg and 14 mg under Brand names 'Semalix' and 'Sembolic' comprising salt of N-(8-(2-hydroxybenzoyl)amino)caprylic acid (SNAC) which is 0.53 mmol and would not breach the range of 0.6 to 2.1 mmol



claimed under the claim 1 of the plaintiffs' patent IN325669.

- (ii) Apart from the above, the defendant shall also not breach range 0.6 to 2.1 mmol claimed under the claim 1 of the plaintiffs' patent IN325669 for any product including the aforesaid product namely Semaglutide (Oral Tablet) 3mg, 7mg and 14 mg under Brand names Semalix and Sembolic comprising the SNAC which is 0.53 mmol for domestic as well as export purposes.
- (iii) The defendant assures to handover a sample each of Semaglutide (Oral Tablet) 3mg, 7mg and 14 mg under Brand names 'Semalix' and 'Sembolic' to Ms. Mamta Rani Jha, learned counsel for the plaintiffs by 10:30 a.m. tomorrow morning i.e. 21.03.2026.

31. The aforesaid arrangement is without prejudice to rights and contentions of any of the parties.

32. Two weeks' time is granted to file the reply. Rejoinder thereto, if any, be filed within one week thereafter.

33. List on 24.04.2026.

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34. Let the plaint be registered as a suit.

35. Issue summons.

36. Summons accepted by Ms. Bitika Sharma, learned counsel for the defendant.

37. The Written Statement shall be filed by the defendant within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendant shall also file Affidavit of Admission/Denial of the documents of the plaintiffs, without which the Written Statement shall not be taken on record.

38. Liberty is granted to the plaintiffs to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiffs, an Affidavit of Admission/Denial of the documents of



defendant be filed by the plaintiffs, without which the Replication shall not be taken on record.

39. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

40. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

41. List before the Joint Registrar (Judicial) on 22.05.2026 for completion of service and pleadings.

42. List before the Court on 24.04.2026.

TUSHAR RAO GEDELA, J

MARCH 20, 2026

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