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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS (COMM) 124/2025 & I.A. Nos. 4506/2025 & 4544/2025
MOONSHINE TECHNOLOGY PRIVATE LIMITED.....Plaintiff

Through: Mr. Raj Shekher Rao, Senior
Advocate with Mr. Subhash Bhutoria
and Ms. Anuja Negi, Advocates.
(M): 8860499666
Email: subhash@iplaws

versus

ASHOK KUMAR & ORS.Defendants
Through: None.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
19.02.2025

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I.A. No. 4544/2025 (Application seeking amendment of the plaint)

1. The present application has been filed under Order VI Rule 17, read with Section 151 of the Code of Civil Procedure, 1908 ("CPC"), seeking amendment of the plaint on account of a clerical error.
2. Learned Senior Counsel appearing for the plaintiff submits that the plaintiff has inadvertently mentioned its own domain names in the list of infringing domain names registered by the DNR.
3. It is submitted that the said error is inadvertent. Thus, plaintiff is seeking a minor correction in the plaint by deleting its own domain names from the list of infringing domain names.
4. The proposed amendment is given in para 5 of the present application.



5. Considering the submissions made before this Court and considering the fact that the proposed amendment is only formal nature and would not cause any prejudice to the defendants in any manner, the present application is allowed.

6. The proposed amendment in para 19 of the plaint, is directed to be taken on record.

7. Accordingly, let amended plaint be filed by the plaintiff within a period of two days from today.

8. With the aforesaid directions, the present application is allowed and accordingly disposed of.

I.A. No. 4506/2025 (Application seeking modification of order dated 14th February, 2025)

9. The present application has been filed under Section 151 and 152 CPC seeking modification of the order dated 14th February, 2025.

10. Considering the fact that this Court has allowed amendment of the plaint to the extent of deleting the domain names of the plaintiff from the list of infringing domain names registered by the DNR, the present application is allowed.

11. The modified *Annexure-A* to the order dated 14th February, 2025 detailing the correct infringing domain names, shall be filed by the plaintiff within a period of two days from today.

12. With the aforesaid directions, the present application is disposed of.

CS (COMM) 124/2025

13. Considering the applications that have been allowed today, it is directed that the compliance of Order XXXIX Rule 3 CPC, shall be done by the plaintiff within a period of one week, from today.



14. List on 28th July, 2025, i.e., the date already fixed.

MINI PUSHKARNA, J

FEBRUARY 19, 2025

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