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

\# **CNR No. DLHC010428432026**

\+ CS(COMM) 993/2026

BENTLEY SYSTEMS INC AND ANR .....Plaintiffs

Through: Mr. Rahul Beruar, Mr. Deepesh Bhardwaj, Ms. Manini Sidhu and Mr. Yashveer Singh, Advocates.

versus

[redacted]

AND ORS .....Defendants

Through:

CORAM:
HON'BLE MR. JUSTICE A. J. BHAMBHANI

O R D E R

% 10.09.2026

I.A. 24879/2026 (extension of time for paying court-fee)

By way of the present application filed under section 149 of the Code of Civil Procedure 1908 ('CPC') read with section 151 CPC, the plaintiffs seek extension of time for filing the prescribed court-fee.

2. For the reasons stated in the application, which is duly supported by affidavit, the application is allowed.

3. Let the requisite court-fee be filed within 01 week.

4. The application stands disposed-of.

I.A. 24876/2026 (exemption from pre-litigation mediation)

5. By way of the present application filed under section 12A of Commercial Courts Act, 2015 read with section 151 of the CPC, the plaintiffs seek exemption from attempting pre-litigation mediation.

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6. Having regard to the facts and circumstances of the present case, and in light of the judgment of the Supreme Court in ***Yamini Manohar vs. T.K.D. Keerthi***[1] and of a Division Bench of this court in ***Chandra Kishore Chaurasia vs. R A Perfumery Works (P) Ltd.***[2], the plaintiffs are exempted from attempting pre-litigation mediation.

The application stands disposed-of.

I.A. 24877/2026 (additional documents)

7. By way of the present application filed under Order XI Rule 1(4) (as amended by the Commercial Courts Act, 2015) read with section 151 of the CPC, the plaintiffs seek leave to file additional documents.

8. For the reasons stated in the application, which is duly supported by affidavit, the application is allowed.

9. Let the additional documents be filed within 30 days.

10. The relevance and admissibility of the documents so filed will be considered subsequently.

11. The application stands disposed-of.

I.A. 24878/2026 (exemption advance service)

12. By way of the present application filed under section 151 of the CPC, the plaintiffs seek exemption from effecting advance service upon the defendants.

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[1] (2024) 5 SCC 815

[2] 2022 SCC OnLine Del 3529

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13. Having regard to the facts and circumstances of the case, the plaintiffs are exempted from effecting advance service upon the defendants.

14. Application stands disposed-of.

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15. Let the plaint be registered as a suit.

16. Issue summons in the suit.

17. Upon the plaintiffs taking requisite steps, let summons be sent to the defendants by all permissible modes, returnable for the next date before the learned Joint Registrar.

18. Let the summons indicate that the defendants are required to file written statements to the plaint within 30 days from the date of receipt of summons, alongwith affidavits of admission/denial of the documents filed by the plaintiffs. The plaintiffs may file replications to the written statements within 30 days thereafter, alongwith affidavits of admission/denial of the documents filed by defendants.

19. List before the learned Joint Registrar for completion of pleadings, for admission/denial of documents and marking of exhibits on 03rd December 2026.

20. List before court thereafter.

I.A. 24875/2026 (*ex-parte ad-interim* injunction)

21. By way of the present application filed under Order XXXIX Rules 1 and 2 read with section 151 of the CPC, the plaintiffs seek the following reliefs:

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25. In view of the aforesaid facts and circumstances, it is respectfully prayed that this Hon'ble Court may be pleased to grant the following reliefs in favor of the Plaintiffs and against the Defendants:

a. An ex-parte ad-interim injunction restraining the Defendants, their agents, franchisees, servants, and all others acting for and on their behalf from directly or indirectly copying, reproducing, storing, installing, and/or using pirated/unlicensed software program(s) of the Plaintiffs, including RAM Concept, iTwin Analytical Synchronizer, iTwin Services Add-in, STAAD, and/or any other software program developed by the Plaintiffs and their various versions in any manner whatsoever that may amount to infringement of the Plaintiffs' original copyrighted software programs and software-related documentation;

b. An ex-parte ad-interim injunction restraining the Defendants, their agents, franchisees, servants, and all others acting for and on their behalf at the Defendants' premises from directly or indirectly formatting the computer systems and/or erasing any data, log files, installations, etc., pertaining to or assisting others to infringe the copyrights subsisting in the Plaintiffs' RAM Concept, iTwin Analytical Synchronizer, iTwin Services Add-in, STAAD, and/or any other software program developed by the Plaintiffs and their various versions in any manner whatsoever; and/or

c. Any other order(s) as this Hon'ble Court may deem fit and proper considering the facts and circumstances of the present case be passed in the favor of the Plaintiffs and against the Defendants.

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22. It is submitted that plaintiff No. 1 is a global provider of infrastructure software solutions to engineers, architects, geospatial professionals, constructors, and operators of infrastructure with its principal office in Pennsylvania, USA; and plaintiff No. 2 is the Indian subsidiary of plaintiff No. 1 based out of Delhi, which has been set-up to carry-out business activities and anti-piracy campaigns of plaintiff No. 1 in India. It is further submitted that the plaintiffs' software programmes that are of concern in the present proceedings are RAM Concept, iTwin Analytical Synchronizer, iTwin Services Add-in, and STADD.

23. Defendants Nos. 1 to 3 are stated to be the directors of defendant No.4, which entity is stated to be engaged in the business of providing engineering and structural design services.

24. Learned counsel appearing for the plaintiffs submits that the plaintiffs' registered copyright is being infringed by being used by defendant No. 5 without any authority or licence. Counsel submits that the plaintiffs have learnt about the infringement of their copyright through messages received *via* the phone-home technology, as evidenced by the documents appended at page Nos. 325 - 326 of the plaintiffs' documents.

25. Issue notice.

26. Upon the plaintiffs taking steps, let notice be sent to the defendants by all permissible modes, returnable for the next date before the learned Joint Registrar.

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27. Let the notice indicate that replies to the application be filed within 30 days of service; rejoinder(s) thereto, if any, be filed within 30 days thereafter; with copies to the opposing counsel.

28. Based on a preliminary appreciation of the matter, this court is of the view that the plaintiffs have succeeded in making-out a *prima-facie* case in their favour; that the balance of convenience also lies in favour of the plaintiffs and against the defendants; and it would appear that irreparable loss and injury would be caused to the plaintiffs if the interim injunction as prayed-for is not granted.

29. Accordingly, an *ex-parte ad-interim* order of injunction is passed in favour of the plaintiffs and against the defendants in terms of *prayer 25(a) and (b)*, as extracted above, till the next date of hearing.

30. Plaintiffs are directed to comply with the provision of Order XXXIX Rule 3 CPC within 03 weeks.

31. Re-notify before the learned Joint Registrar for completion of pleadings on 03rd December 2026.

32. List before court thereafter.

A. J. BHAMBHANI, J

SEPTEMBER 10, 2026
V.Rawat

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