

26 CS (COMM.) 390/20

Mahendra Gulwani Vs. Shree Renuka Sugars Ltd.

19.07.2025 (At 1:11PM)

Present : Sh. Shailen Bhatia, Sh. Amit Jain, Ms. Deekhsa Gulati and Sh. Abhishek, Ld. Counsels for the plaintiff.

Sh. Manish Biala, Ld. Counsel for the defendant.

My attention was taken to two applications moved by plaintiff, one under Order XXII Rule 10 CPC and another under Order XI Rule 1 (5) read with Section 151 CPC, which is connected with the first application. Through first application, plaintiff no.1 is sought to be substituted by a new entity i.e. M/s Madhur Confectioners Pvt. Ltd. Ld. Counsel submitted that this company has been assigned all the proprietary rights in respect of trademark in question, vide an assignment deed. By virtue of this assignment deed, it needs to be impleaded in place of plaintiff no.1. One authorization in the favour of Rahul Srivastava has also been filed on behalf of aforesaid company to submit that he has been authorized to represent new plaintiff no.1. Through application under Order XI Rule 1 (5) read with Section 151 CPC, permission has been sought to place two documents which are copy of Board of Resolution by new plaintiff no.1 company in favour of Rahul Srivastava and the assignment deed dated 30.01.2024 vide which Mr. Mahendra Gulwani, previous plaintiff no.1 assigned the proprietary rights in respect of several trademarks in favour of new plaintiff no.1 M/s Madhur Confectioners Pvt. Ltd. Though, ld. Counsel for the defendant opposed this application, but on the basis of plea taken in the

applications and the documents, I do not find any impediment in allowing both these applications. Accordingly, plaintiff no.1 Mr. Mahendra Gulwani is substituted by new plaintiff no.1 M/s Madhur Confectioners Pvt. Ltd. Both these application are allowed accordingly and amended memo of parties already filed, is taken on record.

Two other applications had been pending for disposal since long. One under Order XXXIX Rules 1 and 2 CPC, as filed by plaintiff and another is under Order XXXIX Rule 4 CPC, as filed by the defendant.

Arguments heard on both these applications.

Put up for orders on both these applications on **06.08.2025.**

As per request made, both the parties are at liberty to file their case laws with index by 25.07.2025.

Pulastya Pramachala
District Judge (Commercial Court)-01
Patiala House Court, New Delhi.
19.07.2025