

CS (COMM) 64/26

Lotus Herbals Private Limited Vs. Lotus Mens Parlour through its Proprietor Mr Mohit Bajaj
26.05.2026

Present: Ms. Aarya Deshmukh, Ms. Vaibhavi S G, Sh. Vaibhav
Vutts and Anupriya Shyam Ld. Counsels for plaintiff.

Dr. Vikrant Narayan Vasudeva Ld. Counsel for
defendant (through VC)
Sh. Prakhar Shukla Ld. Counsel for defendant.

WS has been filed by defendant. Defendant has filed an application u/o 8 rule 1 CPC. There is a delay of 107 days in filing WS as per defendant. It is stated that defendant is based in Gorakhpur and it took time to engage counsel. The plaintiff had engaged a different counsel initially, engaging new counsel later caused delay of 107 days in filing WS. Ld counsel for plaintiff has says that she no objection if application is allowed subject to cost. The delay is condoned subject to payment of Rs. 2000/- to be paid by defendant to counsel for plaintiff. WS is taken on record. **Application u/O 8 rule 1 CPC (IA-1) stands disposed of.**

Plaintiff has filed an **application u/o 39 rule 2 A CPC (IA-2)**. Ld. Counsel for plaintiff says that Defendant is still using the impugned TM. The application is based on a photograph which does not have any date on which it was taken. The plaintiff shall file better details to pursue this application. Ld counsel for defendant says that matter may be sent to mediation however, plaintiff has reservation on that.

Renotify the matter on 27.07.2026 for framing of issues and case management hearing.

(Anuradha Shukla)
District Judge
(Commercial Court-02)
South Distt., Saket, New Delhi/26.05.2026