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

+ **CS(COMM) 108/2021 & CRL.M.A. 7863/2022, I.As. 13031/2021,
16059/2021, 4587/2022, 8461/2022, 8859/2022, 8969/2022**

VICTORIA FOODS PRIVATE LIMITED Plaintiff
Through: Mr. Dayan Krishnan, Sr. Adv. with
Mr. Rohit Gandhi, Mr. Adhish
Srivastva, Mr. Hargun Singh Kalra,
Advocates (M:9818610321)
versus

RAJDHANI MASALA CO. & ANR. Defendants
Through: Mr. Sandeep Sethi, Sr. Adv. with Mr.
Madhusudan, Mr. Ankit Kakkar, Mr.
Vikhyat Oberoi, Mr. Ankur Singhal,
Advocates along with Mr. Ravi Kohli,
Mr. Pawan Kohli in person.
(M:9971423535)
Mr. Rakesh Chaudhary, Mr. Sushaar
Chaudhary, Mr. Vijay Jakhwal,
Advocates for FSSAI (M:98111-
88090)
Mr. Anuj Aggarwal, ASC, GNCTD
with Ms. Ayushi Bansal, Ms. Sanyam
Suri, Ms. Aishwarya Sharma,
Advocates for Department of Food
Safety
Mr. Anurag Ahluwalia, CGSC for UOI
along with Mr. BL Meena, GST
Officer (M:9818837021)
Mr. Murli Krishnan, Food Inspector
& Mr. Zuber Ahmad, Area Inspector
(Department of Food safety)
Mr. Dushyant K. Mahant, Local
Commissioner (M:9899-996-299)



CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% 01.06.2022

1. This hearing has been done through hybrid mode.
2. Today, Id. Senior Counsels appearing for the parties have been heard in respect of the consequence that the Defendants ought to face owing to the continued use of the mark 'RAJDHANI', as also, other misconduct on behalf of the Defendants, in violation of the previous orders of the Court.
3. Mr. Sethi, Id. Senior Counsel appearing for the Defendants has handed over the new packaging under the brand name/mark 'RMC' in order to settle the disputes with the Plaintiff, fully and finally. Id. Counsel for the Plaintiff wishes to seek instructions in the matter.
4. The Court has put a query to Id. Counsels for the Defendants as to whether they are willing to change the colour scheme of the proposed 'RMC' logo/mark, and the proposed packaging of their product. In response, Id. Counsel for the Defendants affirms the same and submits that if the proposed mark 'RMC' is acceptable to the Plaintiff as also the Court, the colour scheme of the product can be modified by the Defendants.
5. The Food Inspector, GNCTD shall visit the premises of the Plaintiff where the seized products of the Defendants are kept under *superdari* and lift samples randomly. Two counsels on behalf of the Defendants are permitted to be present at the time when the random samples are being lifted by the Food Inspectors. The address of the said premises of the Plaintiff is set out below:

***“Warehouse at Khasra No.26/24, Sanoth Village,
Near Laxmi Dharam Kata and Mahaan Rice Mill,***



Sanoth Village, Narela, Delhi-110040”

6. The said samples shall be sent for testing. Preliminary submissions may be placed before the Court tomorrow in respect of whether the said products are fit for human consumption, subject to the test reports being received.
7. List on 2nd June, 2022.
8. This is a part-heard matter.

PRATHIBA M. SINGH, J.

JUNE 1, 2022/aman/AD