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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 222/2025, I.A. 6482/2025 & I.A. 15684/2025**
PACHRANGA INTERNATIONAL INC.Plaintiff

Through: Mr. Kunal Khanna, Ms. Madhu Anand, Mr. Krtin Bhasin, Mr. Yashveer Singh, Mr. Udit Sharma, Mr. Kaulik, Mr. Param and Ms. Priyanshi, Advocates.

versus

VISHISHT MALIK TRADING AS M/S PACHRANGA FOOD INDUSTRIESDefendant

Through: Mr. Rishub Kapoor, Advocate.

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER
10.12.2025

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I.A. 29791/2025

1. This is an Application filed on behalf of the Plaintiff under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908 (“CPC”) for wilful and continuous disobedience of the order dated 11.03.2025 by the Defendant / Contemnor.

2. Vide order dated 28.11.2025, the learned Counsel for the Defendant / Contemnor had undertaken to change the Trade Dress of label ‘



’ (“Impugned Label”) to not have deceptive similarity to the



Plaintiff's label for the same product by changing the colour of the Impugned Label as well as the font of the words 'Mixed Pickle' written on the Impugned Label.

3. The learned Counsel for the Defendant / Contemnor had sought a week's time to submit the revised label by changing the colour as well as the font of the Impugned Label appearing in the Order.

4. Despite the said directions, the learned Counsel for the Defendant / Contemnor has not been able to place on record the Affidavit containing the revised label, which is stated to be filed *vide* Diary No. 8909478/2025.

5. The learned Counsel for the Plaintiff submits that the advance service of the said Affidavit shows that even the revised label does not comply with the orders dated 11.03.2025 and 28.11.2025.

6. The learned Counsel for the Defendant / Contemnor submits that the designer of the Defendant / Contemnor does not have any other font and although he was asked to change the font of the Impugned Label, he is not able to do so.

7. The learned Counsel for the Defendant / Contemnor submits that the colour of the Impugned Label has been changed to green from red and he proposes that the words 'Mixed Pickle' (in English) will be removed from the Impugned Label and time for same may be granted.

8. It appears that the Defendant / Contemnor is trying to overreach the order passed by this Court by not complying with the same. Even the revised label, which is shown to the Court (although not on record), clearly shows that the same is deceptively similar to the Plaintiff's label for which injunction is already operating.

9. The learned Counsel for the Defendant / Contemnor submits that he has



filed an Application under Order XXXIX Rule 4 of CPC for vacating / modifying the injunction granted *vide* order dated 11.03.2025.

10. However, just by filing the Application under Order XXXIX Rule 4 of the CPC does not absolve the Defendant / Contemnor from complying with the injunction already operating against it.

11. In view of the clear disregard and disobedience of the orders passed by this Court, it is directed that Mr. Vishisht Malik shall remain physically present before this Court on the next date of hearing to explain as to why the Impugned Label is not changed as undertaken by the learned Counsel for the Defendant / Contemnor.

12. List on 12.12.2025 in the Supplementary List.

TEJAS KARIA, J

DECEMBER 10, 2025

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