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

+ **CS(COMM) 222/2025**

PACHRANGA INTERNATIONAL INC.Plaintiff

Through: Mr. Kunal Khanna & Mr. Krtin
Bhasin, Advocates.

versus

**VISHISHT MALIK TRADING AS M/S PACHRANGA FOOD
INDUSTRIES**

.....Defendant

Through: Mr. Rishub Kapoor, Advocate
(through VC).

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

23.12.2025

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I.A. 32190/2025

1. This is an Application under Order XXVI Rule 9 read with Section 151 of the Code of Civil Procedure, 1908 (“CPC”) filed by the Plaintiff for appointment of Local Commissioner.
2. The learned Counsel for the Plaintiff submitted that *vide* order dated 11.03.2025, an *ex-parte ad-interim* injunction was granted and a Local Commissioner was appointed to visit the Defendant’s premises with directions to conduct a search and seizure of the infringing goods and to prepare an inventory thereof.
3. It was submitted that in compliance with the aforesaid order, the Local Commission was executed on 18.03.2025 and during the Commission, about 34,631 infringing materials were seized as mentioned in the Report of the Local Commissioner dated 31.03.2025. The Report also mentions that a specific area was designated at the premises located at TDI City Mall, near



Sukh Asan Chowk, Faridpur Road, Panipat, Haryana (“**TDI Premises**”).

4. The learned Counsel for the Plaintiff submitted that the Plaintiff discovered that the Defendant had been continuously violating the injunction granted *vide* order dated 11.03.2025. Accordingly, the Plaintiff conducted further enquiry through its market sources and visited the TDI Premises of the Defendant on 12.12.2025 to investigate the on-going violations by the Defendant. The Plaintiff’s representative was shocked to find that the Defendant had surreptitiously vacated the TDI Premises where the goods were seized by the learned Local Commissioner without any prior intimation to the Plaintiff or to this Court. The Plaintiff’s representative further observed that the sealed tape affixed by the learned Local Commissioner had been broken / removed and only a small amount of the seized Impugned Products remained at the TDI Premises.

5. It was further submitted that the acts of the Defendant evince wilful disobedience and also pose an imminent risk of further destruction of evidence. Accordingly, a Local Commissioner is required to visit the TDI Premises and any new premises where the Defendant has shifted the seized goods.

6. When this Application was listed on 22.12.2025, the learned Counsel for the Defendant submitted that the Defendant has not violated the order dated 11.03.2025 and the goods seized by the learned Local Commissioner are lying at the TDI Premises. The learned Counsel for the Defendant submitted that instead of appointing a Local Commissioner, the Defendant be directed to file an Affidavit providing the inventory of the goods lying at the TDI Premises along with the photographs of the said goods.



7. In view of the above, the learned Counsel for the Plaintiff had sought time to seek instructions from the Plaintiff. Accordingly, the matter was adjourned for the said purpose.

8. The learned Counsel for the Plaintiff, on instructions, submitted that the Plaintiff is agreeable if the Defendant is directed to file an Affidavit providing the inventory of the goods lying at the TDI Premises along with the photographs of the said goods so that if there is any discrepancy between the Affidavit to be filed by the Defendant and the inventory enclosed with the Report of the learned Local Commissioner, the Plaintiff can take appropriate action for wilful violation of the order dated 11.03.2025. In view of the same, the Plaintiff did not press for appointment of the Local Commissioner, at this stage.

9. Accordingly, the Defendant is directed to file an Affidavit providing a detailed and complete inventory of the goods lying at the TDI Premises along with the photographs of the said goods within a period of four weeks.

10. In view of the above, the present Application stands disposed of.

I.A. 32191/2025

11. This is an Application filed by the Plaintiff under Order XI Rule 1(5) read with Section 151 of the CPC for placing on record additional documents on record.

12. Issue Notice. The learned Counsel for the Defendant accepts Notice.

13. Let the Reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

14. List on 23.03.2026, the date already fixed.



CS(COMM) 222/2025, I.A. 648/2025, I.A. 15684/2025 & I.A. 29791/2025

15. List on 23.03.2026, on the date already fixed.

TEJAS KARIA, J

DECEMBER 23, 2025/ 'A'