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

+ **CS(COMM) 309/2023**

CASTROL LIMITED

.....Plaintiff

Through: Mr. Urfee Roomi, Ms. Janaki Arun,
Mr. Ayush Dixit & Mr. Arpit Singhal,
Advocates.

versus

**NARESHBHAI BABUBHAI KANANI, TRADING AS
MANORATH COMPANY AND GDP LUBRICANTS & ANR.**

.....Defendants

Through: Ms. Jasvinder Kaur & Mr. A. Khan,
Advocate.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **29.10.2025**

I.A. 44386/2024 (under Order XXXIX Rule 2A CPC.)

1. The matter is listed today in furtherance of the order dated 16.07.2025 for determining the quantum of punishment to be imposed on the contemnors.
2. Learned counsel for the plaintiff states that during the course of Local Commission, defendants were deliberately not present at the premises/location and did not cooperate in the execution of the Local Commission. He states, in these circumstances, the Local Commission was executed with the assistance of the local police.
3. He states that the lock of the premises were broken open and, in the premises, approximately 800 containers bearing the infringing labels and



2800 infringing labels/stickers bearing the impugned mark were found. He states approximately 100 containers were filled up with the product. He states that the inventory has been annexed with the LC report.

4. He states that since defendants were unavailable, the premises were locked-up and the keys have been deposited by the Local Commissioner with the Registrar General. He states that the keys are still lying with the Registrar General and have not been retreat by the plaintiff.

5. He states, in these circumstances, the defendants' action of breaking open the locks of the premises/location and removing the aforesaid containers and the infringing stickers as well as selling/disposing them in the open market is egregious and invites initiation of criminal proceedings against the contemnors. He states that each container would have been sold in the market for a value of Rs. 450-650 per container. He states that contemnors have also disposed of 2800 infringing labels/stickers and it is apparent that these labels have been used for selling the infringing goods.

6. Mr. Naresh Kanani and Mr. Yash Kanani contemnor nos.1 and 2 are present in Court.

7. In reply, learned counsel for the contemnors states on instructions from Mr. Naresh Kanani that indeed Mr. Naresh Kanani broke open the locks of the premises where the seized goods were lying without seeking permission of the Court. She states however Mr. Naresh Kanani tenders his unconditional apology. She states that the 800 containers and 2800 stickers have been sold off in the open market.

8. After discussing with Mr. Naresh Kanani, learned counsel for the respondent states that the contemnors will deposit a sum of Rs.4 lakhs in the registry of the Court within two weeks for redeeming the action of disposal



of the seized goods.

9. The defendants/contemnors are granted liberty to deposit the aforesaid amount.

10. It is directed that after the amount is deposited in Court, the said amount will be paid over to the plaintiff by the Registry.

11. Subject to the due compliance of the undertaking to deposit the aforesaid money, this Court will on the next date consider if the apology of the contemnors should be accepted.

12. Mr. Naresh Kanani and Mr. Yash Kanani will remain present in Court on the next date of hearing.

13. List for compliance on 14.11.2025 at 01:15 PM.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 29, 2025/gm