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

+ **CS(COMM) 456/2022 & I.A. 10259/2022 I.A. 6644/2023 I.A. 47614/2024 I.A. 48862/2024**

BRAJ MOHAN RATHORE

.....Plaintiff

Through: Mr. Jai Sahai Endlaw, Ms. Sambhavi
Kala and Ms. Shivalika, Advocates

versus

MAHESH EDIBLE OIL INDUSTRIES LTD. & ORS.

.....Defendants

Through: Mr. Rohit Sharma, Mr. Jatin Lalwani
and Mr. Nikhil Purohit, Advs. for D-1
to 9.

Mr. Varun Pathak, Mr. Akhil
Shandilya and Ms. Prasidhi Agrawal,
Advocates for D-12

Mr. SauhardA lung, Advocate for D-
13

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **19.08.2025**

**I.A. 6644/2023 (Application of the Plaintiff under Section 151 of the
CPC for direction to the Defendant No.1)**

1. This is an application filed by the Plaintiff seeking directions to Defendant No. 1 qua its rights to inter-alia receive salary, gratuity etc. as a director of Defendant No. 1.
2. Learned counsel for Applicant/Plaintiff submits that similar reliefs have been sought by the Plaintiff in the NCLT petition.



3. Keeping in view the nature of the relief and the fact that the Plaintiff has already sought this relief from the appropriate forum, this Court finds no merit in entertaining this application in this suit for trademark.

4. The application is disposed of, without any adjudication on merits. It is observed that the plaintiff will be at liberty to pursue these reliefs before NCLT.

I.A. 3083/2025 (Under Order VII Rule 11 CPC)

5. This is an application filed by Defendant No. 1 under Order VII Rule 11 CPC.

6. The application is shown as disposed of by the registry, however learned counsel for the parties jointly submit that the application is still pending.

7. The application is accordingly restored to its original number.

8. Parties are directed to file their written submissions not exceeding four (4) pages.

9. List on 08.12.2025.

I.A. 10259/2022, I.A. 47614/2024, I.A. 48862/2024

10. List for hearing and disposal of these applications on **08.12.2025**.

11. Learned counsel for the parties are directed to file their written submissions not exceeding three pages within four (4) weeks.

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Deletion of Defendant Nos. 12, 13 and 14

12. Learned counsels appearing on behalf of Defendant Nos. 12 and 13 submit that they are merely proforma parties and they may be deleted from the array of parties.

13. Perusal of the memo of parties shows that Defendant No. 14 is a



domain registrant and it's not a contesting Defendant.

14. Keeping in view of the nature of dispute, since the Defendant Nos. 12, 13 and 14 are proforma parties, presumably impleaded for seeking compliance of directions passed against contesting Defendants, this Court is of the considered opinion that Defendant Nos. 12, 13 and 14 need not be put through the rigor of the suit proceedings and they are hereby deleted from the array of parties.

15. In the event any interim/final directions are passed against the contesting Defendants, appropriate directions to Defendant Nos. 12, 13 and 14 for ensuring compliance will be passed at the said stage.

16. Amended memo of parties will be filed within two (2) weeks.

17. List on **08.12.2025**.

MANMEET PRITAM SINGH ARORA, J

AUGUST 19, 2025/mt