



\$~31

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 388/2024, I.A. 10939/2024, I.A. 44144/2024, I.A. 45081/2024 & O.A. 40/2025

DR. REDDYS LABORATORIES LIMITEDPlaintiff
Through: Mr. Ranjan Narula, Mr. Shakti Priyan
Nair and Mr. Parth Bajaj, Advs.
M: 9711721913
versus

ZEELAB PHARMACY PVT. LTD.Defendant
Through: Ms. Nandana Menon, Advocate

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
06.03.2025

%

O.A. 40/2025

1. The present chamber appeal has been filed under Rule 5 of Chapter II of the Delhi High Court (Original Side) Rules, 2018, read with Section 151 of the Code of Civil Procedure, 1908 ("CPC"), against the order dated 11th February, 2025, passed by the learned Joint Registrar (Judicial), by which the delay in filing the written statement on behalf of the defendant has been condoned and the same was directed to be take on record, subject to payment of ₹50,000/- within a period of three weeks from the said date.
2. Learned counsel appearing for the plaintiff draws the attention of this Court to the order dated 11th February, 2025, wherein, it has been recorded as follows:

"xxx xxx xxx

13. However, having observed as above, it would also be relevant to observe that defendant is getting the benefit of a technicality and sans this, its filing of written statement was patently beyond the 120 day deadline. Lack of diligence on the part of defendant has already been



highlighted. Consequently, this Court deems it appropriate to impose exemplary cost of Rs. 50,000/- on the defendant subject to which, the IA stands allowed. Out of this cost, Rs. 10,000/- should be deposited with Bharat Ke Veer Fund, (online portal), and remainder should be handed over to the plaintiff / counsel for the plaintiff within three weeks failing which the written statement shall be deemed to have been taken off the record. Delay stands condoned. Written statement is taken on record. Replication be filed within the period permissible, as worked out from today. IA stands disposed off.

xxx xxx xxx”

3. By relying upon the said order, learned counsel appearing for the plaintiff submits that the time period for payment of the said amount of ₹50,000/- has already expired on 04th March, 2025. He, thus, submits that by virtue of the order dated 11th February, 2025, written statement of the plaintiff cannot be taken on record.
4. Issue notice. Notice is accepted by learned counsel appearing for the defendants.
5. Learned counsel appearing for the defendant submits that the defendant is interested to resolve the disputes, and submits that the matter be referred to mediation.
6. Per contra, learned counsel appearing for the plaintiff submits that despite the injunction order dated 14th May, 2024, the listings of the products of the defendants with the impugned mark “OMEZEE” and “OMEZEE-DM”, are still being shown on the e-commerce websites.
7. Learned counsel for the plaintiff has handed over documents to this Court showing the list of the links, wherein, the product of the defendant with the impugned mark ‘Omezee’ and ‘Omezee DM’, are still available.
8. The said documents are attached as *Annexure-A* to the present order.
9. Accordingly, the defendant is directed to immediately take down the listings from the links, as occurring in *Annexure-A* to the present order.



10. It is further directed that the said links shall be removed by the defendant within a period of 48 hours.
11. In case, requisite action is not taken by the defendant within a period of 48 hours, the plaintiff is at liberty to bring today's order to the notice of the online pharmacies, who shall proceed to take appropriate action for removing the links as occurring in *Annexure-A* to the present order.
12. Considering the submissions made before this Court, this Court is of the view that the matter can be referred for mediation.
13. The present suit has been filed seeking permanent injunction restraining the defendant from manufacturing, marketing, supplying, selling and offering for sale, including, online, advertising, directly or indirectly medicinal and pharmaceutical preparations under the impugned trade mark OMEZEE/ OMEZEE-DM.
14. It is the grievance of the plaintiff that the mark of the defendant is deceptively similar to the plaintiff's trademark 'OMEZ'.
15. Accordingly, with the consent of the parties, the matter is referred to Delhi High Court Mediation and Conciliation Centre, to be listed before the learned Mediator, on 19th March, 2025.
16. List before the Court on 17th April, 2025.
17. A copy of this order be sent to Delhi High Court Mediation and Conciliation Centre, forthwith.

MINI PUSHKARNA, J

MARCH 6, 2025/kr/au



ANNEXURE-A

Link	Image
https://www.lmg.com/drugs/omeze-e-20-capsule-635201?srsId=AfmBOooe2882H0jDcpOBRDsGUhE7p7xXybDaW8tLygzZUTdqTvLdaowh&wpsrc=Google+Organic+Search	
https://pharmeasy.in/online-medicine-order/omezee-20mg-strip-of-15-capsules-3095054	



[https://www.medi
buddy.in/order-
medicines/omeze
e-20-capsule-
1000551322](https://www.medi
buddy.in/order-
medicines/omeze
e-20-capsule-
1000551322)

MediBuddy
Omeze 20 Capsule
₹15
Omeze 20 Capsule
By Omeze
₹15 Capsule in a Strip
Composition
Omeprazole(20mg)
Manufacturer - ZeeLab
Pharmacy Pvt Ltd
115, D-Block, Mangal Sukhvi Place
Pharapuri Road Delhi New Delhi DL
110054 IN
Expires on or after
June, 2025
About Omeze 20 Capsule
Omeze 20 Capsule is a medication that works by reducing the amount of acid produced in the stomach. This medicine is commonly used to treat various acid-related conditions affecting the stomach and intestines, such as heartburn, acid reflux, peptic ulcer disease, and Zollinger-Ellison syndrome. By decreasing acid levels, Omeze 20 Capsule helps alleviate symptoms and supports the healing process within the gastrointestinal tract.
It is recommended to take Omeze 20 Capsule about an hour before a meal, preferably in the

[https://www.netm
eds.com/prescript
ions/omezee-dm-
tablet-
15s?srsId=Afm
BOorMrwEtXSN
GclORzTbTZhG
OUNCTsjSu5GT
ZFRsgYwyd4yPd
5xpU](https://www.netm
eds.com/prescript
ions/omezee-dm-
tablet-
15s?srsId=Afm
BOorMrwEtXSN
GclORzTbTZhG
OUNCTsjSu5GT
ZFRsgYwyd4yPd
5xpU)

Netmeds
Omezee DM Tablet 15's
₹1500
Omezee DM Tablet 15's
By Netmeds
₹1500 Tablet in a Strip
Composition
Omeprazole 15mg + Domperidone 10mg
Manufacturer - ZeeLab
Pharmacy Pvt Ltd
115, D-Block, Mangal Sukhvi Place
Pharapuri Road Delhi New Delhi DL
110054 IN
Expires on or after
June, 2025
About Omezee DM Tablet
Omezee DM Tablet is a combination of Omeprazole and Domperidone, which helps in the treatment of various acid-related conditions affecting the stomach and intestines, such as heartburn, acid reflux, peptic ulcer disease, and Zollinger-Ellison syndrome. By decreasing acid levels, Omezee DM Tablet helps alleviate symptoms and supports the healing process within the gastrointestinal tract.
It is recommended to take Omezee DM Tablet about an hour before a meal, preferably in the



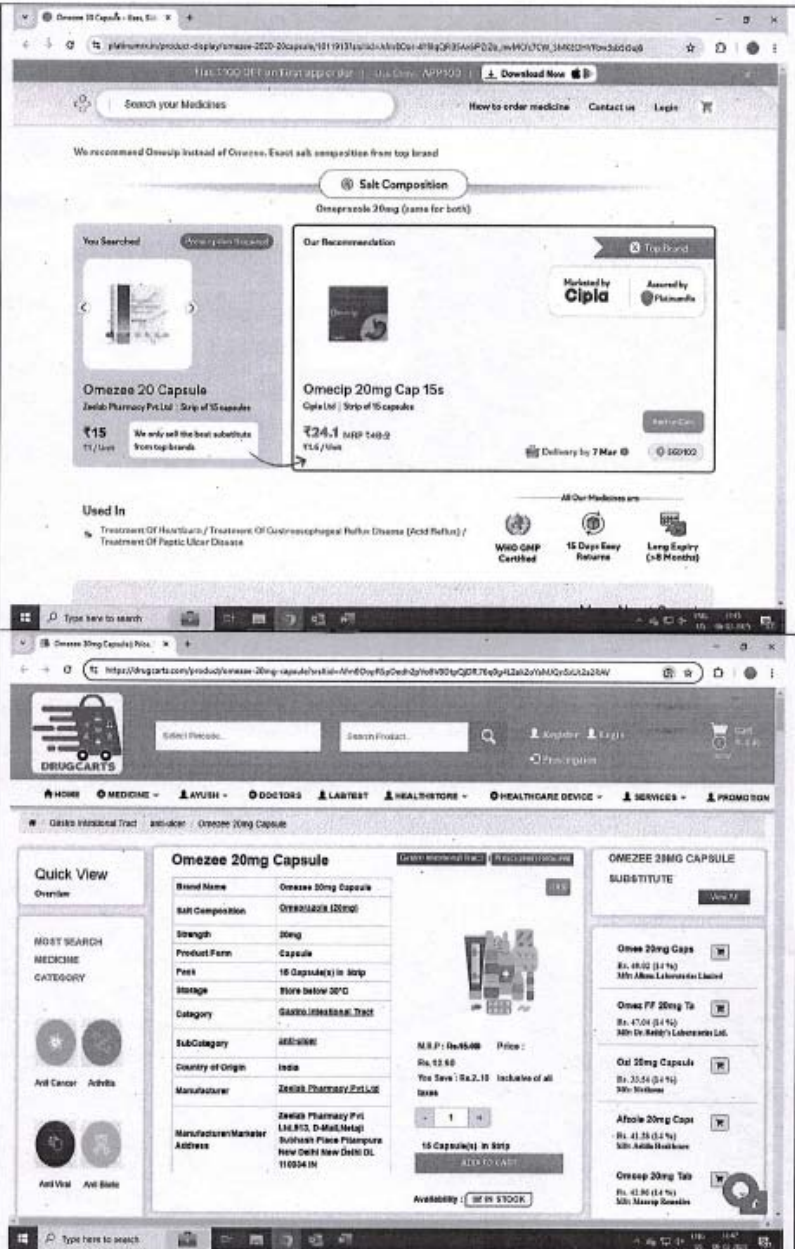
<https://www.netmeds.com/prescriptions/omezee-20-capsule-15s?srsId=AfmBOoo8K36OIB6Wg318XytoYR7LomY9E9IQEhp3YGBQjvAhv5cLfJ5>

<https://www.mypchar.com/en/medicine/omezee-p37164405>

The top screenshot shows the product page for Omezee 20 Capsule 15s on netmeds.com. The page features a large image of the capsule, a price tag of ₹1500, and a 'GET20OFF' discount code. The bottom screenshot shows the product page for Omezee 20 Capsule on mypchar.com. The page features a large image of the capsule, a price tag of ₹1500, and a 'GET20OFF' discount code.



<https://drugcartsc.com/product/omezee-20mg-capsule?srsId=AfmBOopRSpDedh2pVo8V8DtpQjDR76q0g4L2ek2oYaMJQn5xUt2a2RAV>





<https://farmako.in/medicine/omezee-dm-capsule-216420/>

<https://www.dawaiwala.com/dw/medicine/details/278323/omezee-20-capsule.html>

The image displays two side-by-side screenshots of online medicine portals. The left screenshot shows the Farmako website for 'Omezee-DM Capsule', listing its price at ₹ 18.00 and providing details about its manufacturer, Zeeb Pharma Pvt Ltd. The right screenshot shows the Dawaiwala website for 'Omezee 20 Capsule', listing its price at ₹ 13.00 and providing details about its manufacturer, Zeeb Pharma Pvt Ltd. Both websites include search bars, navigation menus, and product descriptions.



<https://rigmeds.com/drugs/omezee-20-capsule>

<https://www.getomeds.com/products/omezeedm-capsule-173720>

The screenshot displays two web pages. The top page is from Rigmeds, showing the product 'Omezee 20 Capsule' with details like 'Prescription Required', 'Manufacturer: Zeeva Pharmacy Pvt Ltd', and 'Salt Composition: Omeprazole (20mg)'. Below this is a table of 'Substitutes Products'.

NAME	MANUFACTURER	MSP
Omez India Sachet Box 30 Sachet	Dr. Reddy's Laboratories Ltd	MSP ₹115.82
Omezip 20 Capsule 15 Capsule	Cipla Ltd	MSP ₹408.00
Omez Capsule 20 Capsule	Affore Laboratories Ltd	MSP ₹64.23
Omez Capsule 20 Capsule	Dr. Reddy's Laboratories Ltd	MSP ₹64.23

The bottom page is from GetOmeds, showing 'Omezee-DM Capsule 15 capsules In 1 strip'. It includes a product image, a 'Recommended Substitute' box with the GetOmeds logo, and a section for 'All Details About Omezee-DM Capsule' with tabs for Description, Uses, Directions For Use, Side Effects, and Warnings & Precautions. The description states: 'Omezee-DM Capsule is a prescription medicine used to treat gastroesophageal reflux disease (GERD) and peptic ulcer disease by relieving the symptoms such as heartburn, stomach pain, or irritation. It also neutralizes the acid in the stomach and promotes easy passage of gas to reduce stomach discomfort.'



https://namastemedico.com/product/omezee-dm-tablet-15s/?srsltid=AfmBOorlW-dcFreF5VRS2zZ3tY_iQEafw9tXJKrAz-5yJG9X-eCFjBq1

OMEZEE DM Tablet 15s

₹18.00

Brand: Zeo Laboratories Ltd

Category: DM Medicines, Ulcer/Heartburn/Acidity

Shipping in India: Free 1-day return if eligible, no easy. Supplier give bills for this product. Pay online or when receiving goods.

Description: Omezee DM Tablet 15s is used to treat the gastroesophageal reflux disease.

<https://khurakh.com/products/omezee-20-capsule-15s>

OMEZEE 20 Capsule 15's

Brand: Zeo Laboratories Ltd

₹15.00

Sold By: FULFILLED BY KHURAKH

Quantity: 1

Add to cart

Buy Now

SKU: 130037067

Categories: All Medicines, Ulcer/Heartburn/Acidity

Tags: Omezee 20 Mg

Shipping Nationwide: Free 1-day return if eligible, no easy. Supplier give bills for this product. Pay online or when receiving goods.