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

+ **CS(COMM) 505/2025**

MOHAMMED AZAM TRADING AS M/S NOOR

AHMED MOHD. AZAMPlaintiff

Through: Mr. Umesh Mishra, Mr. Satish Kumar
and Ms. Yashodhara Raina,
Advocates.

versus

PARAMJEET SINGH & ANR.Defendants

Through: Mr. Kunal Mittal and Mr. Sachin
Aggarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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26.05.2025

I.A. 13208/2025 (O-XI R-1(4) of the Commercial Courts Act)

1. The present application has been filed on behalf of the plaintiff seeking leave to file additional documents under the Commercial Courts Act, 2015.
2. The plaintiff is permitted to file additional documents in accordance with the provisions of the Commercial Courts Act, 2015 and the Delhi High Court (Original Side) Rules, 2018.
3. Accordingly, the application is disposed of.

I.A. 13209/2025 (u/s 12A of Commercial Courts Act)

4. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023



SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.

5. The application stands disposed of.

I.A. 13210/2025 (exemption from filing original documents/ true typed and vernacular copy of dim documents)

6. Allowed, subject to the plaintiff filing legible copies of the documents within four (4) weeks from today.

7. Plaintiff is exempted from filing original documents at this stage.

8. The application stands disposed of.

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9. Let the plaint be registered as a suit.

10. Issue summons.

11. Mr. Kunal Mittal, Advocate accepts summons on behalf of the defendants and waives issuance of formal summons.

12. Written statement(s) shall be filed by the defendants within thirty days from today. Along with the written statement(s), the defendants shall also file affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

13. Liberty is given to the plaintiff to file replication(s), if any, within thirty days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.

14. The parties shall file all original documents in support of their respective claims along with their respective pleadings. In case parties are placing reliance on a document, which is not in their power and possession, its detail and source shall be mentioned in the list of reliance, which shall



also be filed with the pleadings.

15. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

16. List before the Joint Registrar on 7th August, 2025 for completion of service and pleadings.

17. List before the Court on 6th October, 2025.

I.A. 13207/2025 (O-XXXIX Rule 1 & 2 of CPC)

18. By way of the present application, the plaintiff seeks an interim injunction restraining the defendants from using the mark 'NOORI', which is the registered trademark of the plaintiff.

19. It is case of the plaintiff that it is the registered proprietor of the trademark 'NOORI' in class 30 with effect from 13th October, 1998.

20. Mr. Kunal Mittal appears on behalf of the defendants on advance notice. The matter was passed over on the first call for him to obtain instructions. Mr. Mittal, on instructions, submits that the defendants are using the trademark/ device 'SARDARJI MASALE WALE NURY/



, only in respect of certain samples as on date and not in respect of goods being sold in the market.

21. Taking the aforesaid statement on record, the defendants are restrained from using the mark 'NURY/ नूरी ' till the next date of hearing.

22. Issue notice.

23. Notice is accepted by Mr. Kunal Mittal, counsel for the defendants.

24. Reply be filed within two (2) weeks.



25. Rejoinder thereto, if any, be filed within two (2) weeks thereafter.
26. List before the Joint Registrar on 7th August, 2025 for completion of service and pleadings.
27. List before the Court on 6th October, 2025.

AMIT BANSAL, J

MAY 26, 2025

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