



2025:DHC:11865

\$~23

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

+ CS(COMM) 664/2022 & I.A. Nos. 15660/2022, 3362/2023,
15351/2023, 174/2024, 4214/2024, 9580/2024, 9946/2024 &
32020/2024

U.S. GREEN BUILDING COUNCILPlaintiff

Through: Ms. Ekta Sarin with Mr. Ayush
Samaddar, Advocates.
(M): 7691957526

versus

DEMING CERTIFICATION SERVICES PVT LTDDefendant

Through:

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
27.11.2024

%

1. Learned counsel appearing for the defendant reiterates that defendant has stopped using the mark 'IGBC'.
2. Ms. Ekta Sarin, learned counsel appearing for the plaintiff submits that the defendant has shared the new label with the plaintiff, which is acceptable to the plaintiff. However, she submits that she has instructions to press for cost.
3. Learned counsel appearing for the defendant submits that the defendant has already stopped its business for the last two years, and is not in a position to pay any cost and damages.
4. Learned counsel appearing for the plaintiff draws the attention of this



2025:DHC:11865

Court to the order dated 02nd April, 2024, wherein, the Court noted that the defendant had already undertaken not to activate the said company or commence any operations under its aegis, or use the company so registered in any manner whatsoever, during the pendency of the suit.

5. Learned counsel for the plaintiff submits that the affidavit in compliance of order dated 02nd April, 2024, has still not been filed by the defendant.

6. Per contra, learned counsel appearing for the defendant submits that the defendant company has not been in operation since the last two years. Thus, he submits that there is no question of use of the impugned name, i.e., 'IGBC' by the defendant.

7. Let an affidavit be filed by the defendant in terms of order dated 02nd April, 2024.

8. Let the needful be done before the next date of hearing.

9. List on 24th February, 2025.

MINI PUSHKARNA, J

NOVEMBER 27, 2024

C