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

+ CS(COMM) 531/2019 & CRL.M.A. 11704/2022, I.A. 13295/2019,
I.A. 12559/2021, I.A. 14716/2021, I.A. 15304/2021, I.A. 3896/2022,
I.A. 12267/2022, I.A. 4595/2023, I.A. 4634/2023

MR. RAJAN KANWAR & ANR.

.....Plaintiffs

Through: Ms. Shikha Sachdeva, Mr. Manish
Dhir, Ms. Kriti Rathi and Ms. Annie
Jacob, Advocates.

versus

M/S. SAFIR ENTERPRISES

.....Defendant

Through: Mr. Rahul Ajatshatru and Mr. Pranjal
Shekhar, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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17.03.2025

I.A. 4595/2023 (u/O VI Rule 17 of CPC, 1908)

1. This application has been filed on behalf of the plaintiff seeking amendment of the plaint.
2. Notice in this application was issued on 6th September, 2024.
3. Reply is stated to have been filed on behalf of the defendant on 11th March 2025.
 - 3.1. However, the same is not on record.
4. I have heard the counsel for the parties and have gone through the proposed amendments.
5. Primarily, by way of these amendments, plaintiffs are seeking to bring



on record the subsequent trademark registrations granted in favour of the plaintiffs and making the necessary averments in the plaint with regard to alleged infringement of the marks covered by the said registrations.

6. The suit is still at an early stage. Issues are yet to be framed in the suit and the proposed amendments do not change the nature and character of the suit.

7. Accordingly, the present application is allowed.

CS(COMM) 531/2019

8. In view of the order passed above, let the amended plaint be filed within one (1) week, with a copy to the counsel for the defendant.

9. Counsel for the defendant shall file an amended written statement to the amended plaint within thirty (30) days.

10. Replication be filed within thirty (30) days thereafter.

11. List before the Joint Registrar on 20th May 2025 for completion of pleadings.

12. List the suit along with pending applications before the Court on 28th August, 2025.

I.A. 3896/2022 (u/O VI Rule 17 of CPC, 1908) and I.A. 12267/2022 (for carrying out correction/amendment in I.A. 3896/2022)

13. In view of the order passed above permitting the defendant to file an amended written statement, the counsel for the defendant does not press these applications.

14. Accordingly, the applications are dismissed as not pressed.

I.A. 4634/2023 (for modification of the order dated 02.12.2022)

15. This application has been filed on behalf of the defendant seeking waiver of cost imposed on the defendant *vide* order dated 2nd December 2022.



16. I have heard the counsel for the defendant.
17. In my view and in the facts and circumstances of the case, I am inclined to order waiver of costs.
18. It is ordered accordingly.
19. The application stands disposed of.

AMIT BANSAL, J

MARCH 17, 2025

Vivek/-