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

I.A. 8916/2025 & I.A. 8918/2025

IN

+ CS(COMM) 531/2019

MR. RAJAN KANWAR & ANR.Plaintiffs

Through: Ms. Shikha Sachdeva, Mr. Manish
Dhir & Ms. Radhika Arora,
Advocates.

versus

M/S. SAFIR ENTERPRISESDefendant

Through: Mr. Rahul Ajatshatru, Mr. Pranjal
Shekhar & Mr. Ishat Singh Bhati,
Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **07.04.2025**

I.A. 8916/2025 (amendment of plaint)

1. This application has been filed under Order VI Rule 17 of the Code of Civil Procedure, 1908 ('CPC') seeking amendment of the plaint.
2. The plaintiff seeks amendment of the prayer clause in the plaint, on account of subsequent registrations granted in favour of the plaintiff.
3. Issue notice.
4. Notice is accepted by counsel appearing for the defendant.
5. Mr. Rahul Ajatshatru, counsel appearing on behalf of the defendant submits that in the amended plaint filed along with the application, the



plaintiff has clubbed all the prayers in one of the sub-clauses, whereas separate prayer clauses should have been made in respect of infringement of trademark, trade dress etc.

6. In my view, the amendments do not alter the nature of the suit in any manner. Further, the issues are yet to be framed in the suit.

7. Accordingly, the present application is allowed.

8. The plaintiff shall file an amended plaint, in line with the discussion above, within one (1) week from today, with a copy of the same to counsel for the defendant.

9. The application is disposed of.

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10. In view of the application for amendment of the plaint being allowed, liberty is given to the defendant to file an amended written statement to the amended plaint within thirty (30) days, from the date when the amended plaint is supplied to him.

11. List before the Joint Registrar on the date already fixed i.e., 20th May 2025.

12. List on the date already fixed, i.e. 28th August, 2025.

I.A. 8918/2025 (under Order XXXIX Rules 1 and 2)

13. Pursuant to the amendment made in the plaint, a fresh application has been filed on behalf of the plaintiff seeking an interim injunction.

14. Issue notice.

15. Notice is accepted on behalf of the defendant.

16. Reply be filed within four (4) weeks.

17. Rejoinder thereto, if any, be filed within two (2) weeks.

18. List before the Joint Registrar on the date already fixed i.e., 20th May



2025.

19. List on the date already fixed, i.e. 28th August, 2025.

20. Till the next date of hearing, the ad-interim order dated 27th September, 2021 passed by this Court, shall continue to operate.

I.A. 13295/2019 (under Order XXXIX Rules 1 and 2) & I.A. 12559/2021 (under Order XXXIX Rules 1 and 2)

21. In view of the fresh application being I.A. 8918/2025, filed under Order XXXIX Rules 1 and 2 of the CPC, counsel for the plaintiff seeks to withdraw the above-mentioned applications.

22. Accordingly, the abovementioned applications are dismissed as withdrawn.

AMIT BANSAL, J

APRIL 7, 2025

at