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

+ **CS(COMM) 771/2022**

USHA INTERNATIONAL LIMITEDPlaintiff

Through: Mr. Prashant Gupta, Mr. Jithin M. George and Ms. Shivangi, Advocates.

versus

**POOJA DUA TRADING AS NAMAN SEWING MACHINE
CO/NSM CO & ANR**Defendants

Through: Mr. Rahul Rajput and Ms. Nishi Ranjan, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

18.03.2025

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I.A.3424/2025

1. This is an application filed on behalf of the Plaintiff under Order 1 Rule 10 CPC read with Section 151 CPC for impleadment of the proposed Defendants as Defendants No.3 and 4, on the ground that after the Court made the injunction order absolute on 25.04.2023 on the statement of counsel for the original Defendants that his clients had no objection to the interlocutory injunction being confirmed, in the last week of September, 2024, Plaintiff learnt from its market sources that Defendants were continuing to sell their products under the mark 'BADDAN' and the impugned trade dress in local markets of Uttar Pradesh and on enquiries, it was revealed that two entities namely "Prem Narayan & Co." and "Virendra Traders" were the ones who were selling the sewing machines under the said trademark and trade dress deceptively similar to Plaintiff's trade dress and therefore, the need to implead the said parties has arisen.



2. Learned counsel for Defendants No.1 and 2 does not object to the application being allowed.
3. Accordingly, for the reasons stated in the application, the same is allowed and “Prem Narayan & Co.” and “Virendra Traders” are impleaded as Defendants No.3 and 4 respectively in the array of parties.
4. Amended memo of parties filed along with the application is taken on record.
5. Application stands disposed of.

I.A. 3425/2025

6. Learned counsel for Defendants No.1 and 2 states that he does not want to file reply to this application.
7. Issue notice to the newly added Defendants No.3 and 4, through all permissible modes, returnable on 14.07.2025.

I.A. Nos.2611/2025 and 2679/2025

8. Further time of two weeks is sought by defendants No.1 and 2 to file replies. Let the needful be done within two weeks.
9. Rejoinders, if any, be filed before the next date of hearing.
10. Issue notice to the newly added Defendants No.3 and 4, through all permissible modes, returnable on 14.07.2025.

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11. Issue summons in the suit to the newly added Defendants No.3 and 4, through all permissible modes, returnable on 14.07.2025.
12. Written statements be filed within the statutory period along with affidavit of admission/denial of documents of the Plaintiff. Replications be filed thereafter within 15 days along with affidavit of admission/denial of documents of the Defendants.



13. Interim order to continue, till the next date of hearing.

JYOTI SINGH, J

MARCH 18, 2025

B.S. Rohella