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

\+ CS(COMM) 752/2025

L AND T FINANCE LIMITED .....Plaintiff

Through: Mr. Saif Khan, Mr. Shobhit Agarwal, Mr. Prajjwal Kushwaha and Ms. Meghana Kudligi, Advocates.

versus

WWW.AADHARCASH.COM & ORS. .....Defendants

Through:

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

O R D E R

% 28.07.2025

I.A. 17888/2025 (Exemption from pre-institution Mediation)

1. This is an Application filed by the Plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12 A of the Commercial Courts Act, 2015 ("**CC Act**").

2. As the present matter 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.

3. The Application stands disposed of.

I.A. 17889/2025 (Exemption from advance service to the Defendant Nos. 1 to 3)

4. This is an Application filed by the Plaintiff under Section 151 of the

Code of Civil Procedure, 1908 (**"CPC"**), seeking exemption from advance service to the Defendant Nos. 1 to 3.

5. Mr. Saif Khan, learned Counsel for the Plaintiff, submitted that there is a real and imminent likelihood that the Defendant Nos. 1 to 3 may take immediate steps to dispose of, conceal or suppress its infringing business operations and digital footprints bearing the Copyright material and the deceptively similar Websites.

6. In view of the fact that the Plaintiff has sought an urgent *ex parte ad-interim* injunction, the exemption from advance service to the Defendant Nos. 1 to 3 is granted.

7. The Application stands disposed of.

I.A. 17890/2025 (Exemption from two months prior notice upon Defendant Nos. 6 to 8)

8. The present Application has been filed under Section 80 of the CPC seeking exemption from two months' prior notice upon the Defendant Nos. 6 to 8.

9. In view of the urgent relief and the nature of relief sought against Defendant Nos. 6 to 8, the Plaintiff is exempted from effecting two months' prior notice under Section 80 of the CPC upon Defendant Nos. 6 to 8.

10. The Application stands disposed of.

I.A. 17891/2025 (Additional Documents)

11. The present Application has been filed on behalf of the Plaintiffs under Order XI Rule 1(4) of the CPC as applicable to Commercial Suits under the CC Act seeking leave to place on record additional documents.

12. The Plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side)

Rules, 2018.

13. The Application stands disposed of.

<u>CS(COMM) 752/2025</u>

14. Let the Plaint be registered as a Suit.

15. Issue summons to the Defendants through all permissible modes upon filing of the Process Fee.

16. The Summons shall state that the Written Statement(s) shall be filed by the Defendants within four weeks from the date of the receipt of Summons. Along with the Written Statement(s), the Defendants shall also file an Affidavit(s) of Admission / Denial of the documents of the Plaintiff, without which the Written Statement(s) shall not be taken on record.

17. Liberty is granted 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(s) of Admission / Denial of the documents of Defendants be filed by the Plaintiff, without which the Replication(s) shall not be taken on record.

18. The Parties shall file all original documents in support of their respective claims along with their respective pleadings. In case any Party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

19. If any of the Parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

20. List before the Joint Registrar on 24.09.2025 for completion of service and pleadings.

I.A. 17887/2025 (U/O XXXIX Rule 1 & 2 of CPC)

21. Issue Notice through all permissible modes upon filing of the Process Fees.

22. The present Suit has been filed seeking relief of permanent injunction restraining Defendant Nos. 1 to 3 ("**Contesting Defendants**") from infringement of Copyright, Passing Off, Unfair Competition, Delivery Up, Rendition of Accounts, Damages along with other ancillary reliefs.

23. The Plaintiff is a Company incorporated under the Companies Act, 1956 and is a Non-Banking Financial Company ("**NBFC**") registered under the Reserve Bank of India Act, 1934 and is, *inter alia,* engaged in the business of offering a range of financial products and services including providing finance to its customers. The Plaintiff has secured the highest credit rating- 'AAA', from four leading rating agencies. The Plaintiff operates through a wide network of branches across India. The market capitalisation of the Plaintiff was ₹39,362.59 Crores as on 31.03.2024.

24. The learned Counsel for the Plaintiff submitted that the Plaintiff operates a dynamic and fully interactive website in the form and name of www.ltfinance.com (**"Plaintiff's Website"**), which was created as far back as 1998 and is accessible across the world. The Plaintiff's Website contains various graphical depictions and photographs, all of which are original works of the Plaintiff, eligible for protection under the Copyright Act, 1957 ("**Copyright Act**"). The services of the Plaintiff can also be availed through its mobile application known as "L&T Finance Planet", which is available for download, both on Google Play Store as well as the Apple App Store. Screenshots of the Plaintiff's Website are reproduced hereunder:


L&T Finance - Non-Banking Finar
https://www.ltfinance.com
Download Planet App
L&T Finance
Search
Loans
Payments
Utilities
Investors
About Us
Login
KOLARE SANTOSH SANGAPPA
SANKET RAJENDRA NERKAR
Business Loan
Aapke Business Ka Game Changer
Apply Now
Chat Now
Quick Links
Housing Loan
Personal Loan
Two wheeler Loan
Business Loan
Rural Loan
Farmer Loan
Loan Against Property
Gold Loan
Housing Loan
Calculate EMI
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Payments
Utilities
Investors
About Us
Login
Housing Loan
Personal Loan
Two wheeler Loan
Business Loan
Rural Loan
Farmer Loan
Loan Against Property
Gold Loan
Housing Loan
Make your dream home a reality with our flexible Housing Loan options. We offer competitive interest rates starting at 8.65%* p.a. and a hassle-free application process.
Calculate EMI
Know More
Home Loan
Turn your dream home into reality with attractive Home Loan offers
Know More
Apply Now
Balance Transfer
Paying high EMI? Transfer your loan for lower interest and longer repayment term
Know More
Apply Now
Top Up
Access extra funds with a Top-Up Loan for home renovations or debts
Know More
Apply Now
Chat Now
Quick Links
Home Decor Finance
Left with an empty house after home loan? Avail our Home Decor Loan
Loan Against Property
Fund your business needs, or any other financial needs with LAP
Search
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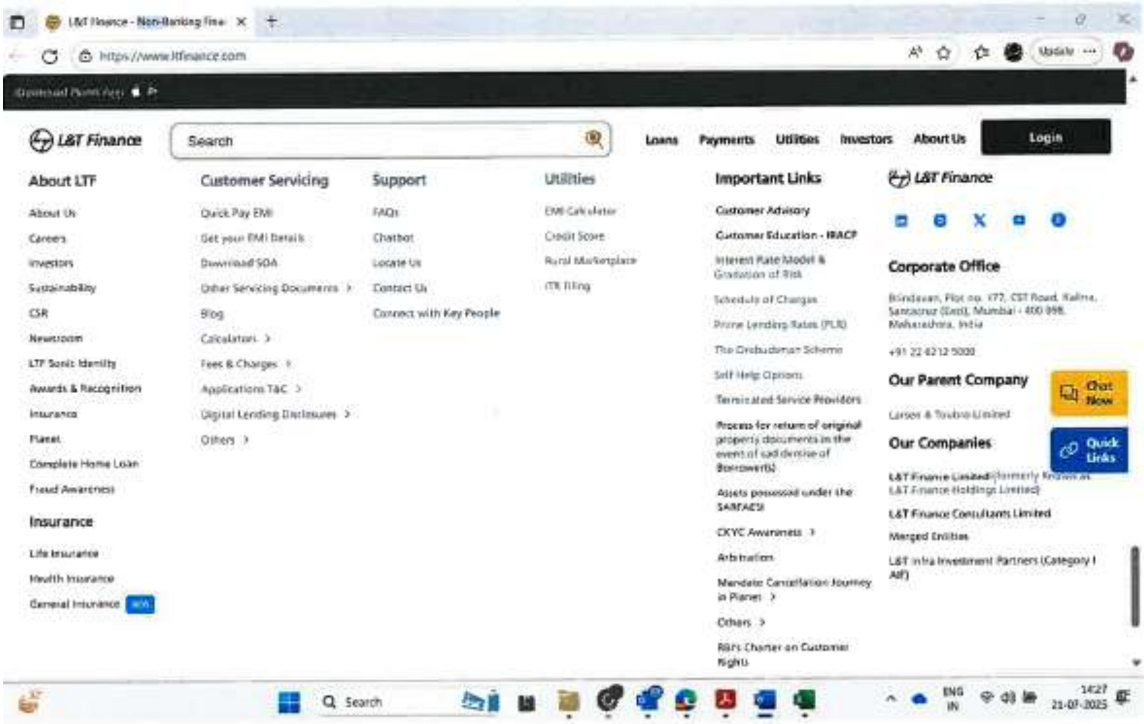
21-07-2025



25. The learned Counsel for the Plaintiff submitted that the Plaintiff's parent company, i.e., Larson & Toubro Limited ("**L&T**") is also the registered proprietor of various L&T formative Trade Marks in India. The Plaintiff is duly authorized by the Plaintiff's parent company, i.e., L&T to use and exploit the said Trade Marks *vide* License Agreement dated 16.10.2024. The Trade Marks registered in favour of L&T are reproduced hereunder:

S. No.	**Trade Mark**	**Application No. and Date**	**Class**
1.		407686 dated 08.07.1983	19
2.	L&T Finance (word mark)	1840421 dated 16.07.2009	36

3.	L&T Finance Bonds (word mark)	1840422 dated 16.07.2009	36
4.	L&T Finance	2623379 dated 05.11.2013	36
5.	L&T Finance	2623381 dated 05.11.2013	36
6.	L&T Finance	2623380 dated 05.11.2013	36
7.	PLANET L&T Finance	6124563 dated 25.09.2023	36

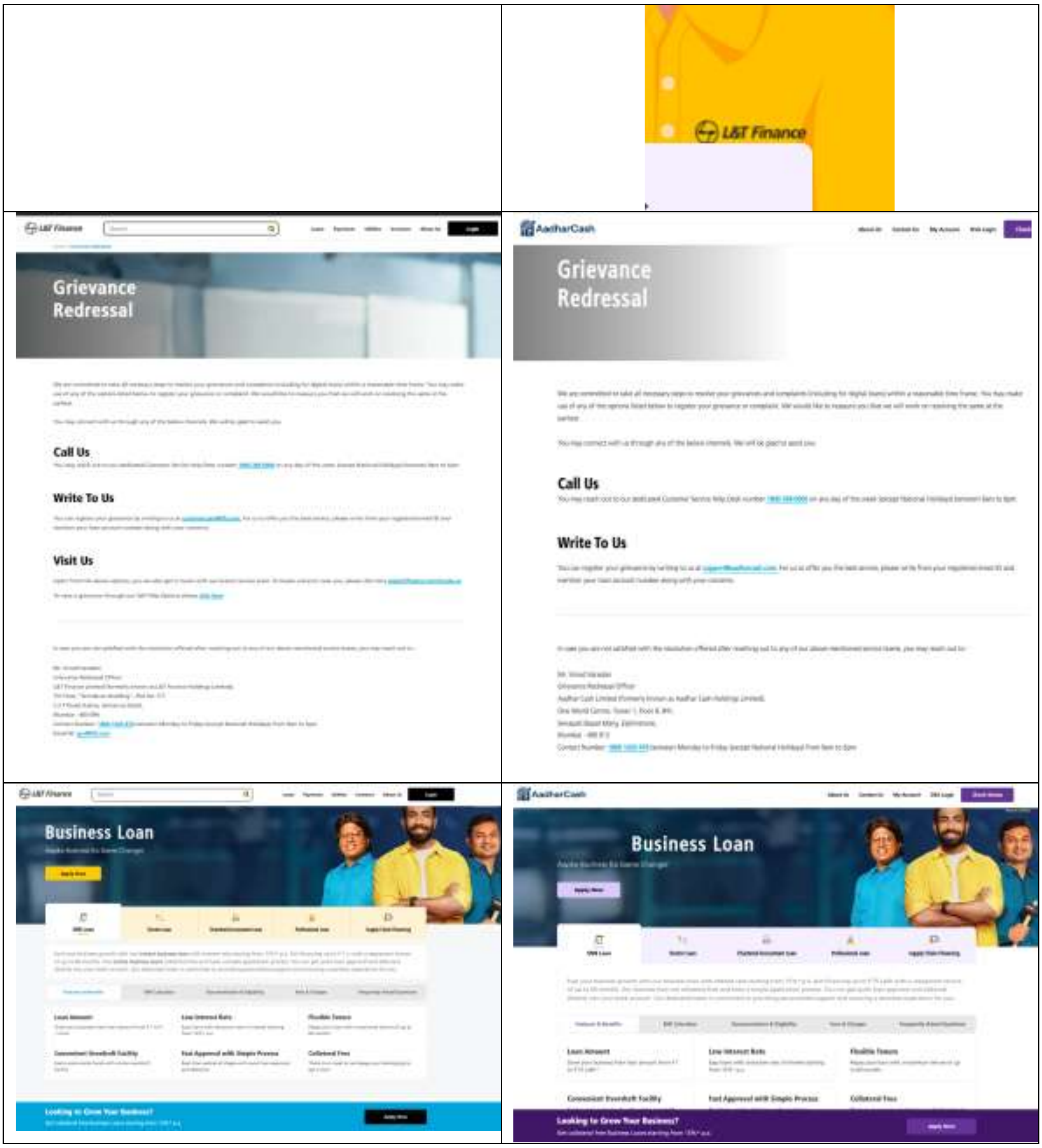
26. The learned Counsel for the Plaintiff submitted that since its inception, L&T has been continuously and exclusively, in the course of trade, using its "L&T" Trade Mark in relation to its myriad of services. The Plaintiff was incorporated in 2008 and has been providing Finance and Investment related services under the Mark "L&T Finance" ever since. Through this consistent use, the Plaintiff has successfully built a valuable brand, along with substantial goodwill and reputation. The Plaintiff's "L&T Finance" formative Trade Marks hold tremendous goodwill and a strong reputation throughout India.

27. The learned Counsel for the Plaintiff submitted that the Plaintiff first became aware of the Contesting Defendants and their infringing activities on 18.07.2025, when the Plaintiff came to know about the website www.aadharcash.com, i.e., Defendant No. 1, which is being used to provide loans to *bona fide* members of the society. Defendant No. 1 was created on

15.06.2025 by Mr. Karan Raj. Defendant No. 1 is registered with the Domain Name Registrar, GMO Internet Inc., i.e. Defendant No. 4.

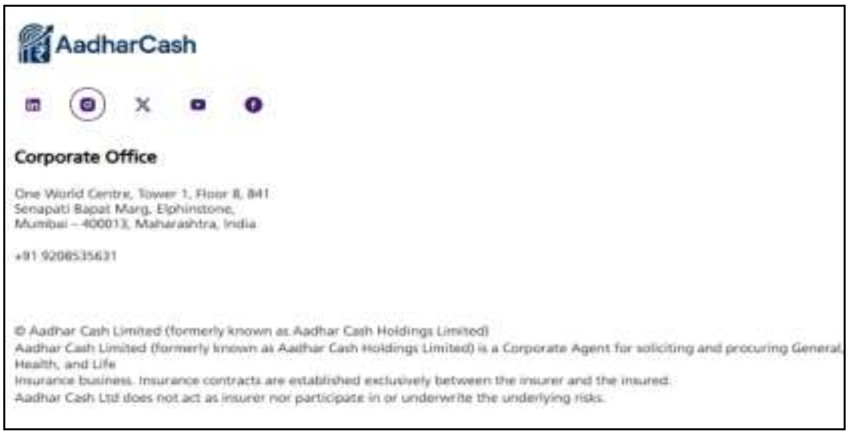
28. The learned Counsel for the Plaintiff submitted that Defendant No. 1 is not just identical to the Plaintiff's Website in terms of layout, graphics, look and feel etc., but also uses the Plaintiff's Trade Marks and images. A comparison chart of the Plaintiff's Website *vis-à-vis* Defendant No. 1 is produced hereunder:

Plaintiff's Website www.ltfinance.com	**Defendant No. 1 www.aadharcash.com**
	
	



29. The learned Counsel for the Plaintiff submitted that being aggrieved by Defendant No. 1, the Plaintiff investigated further into Defendant No. 1 and found that Defendant No. 1 claims to be operated by one Aadhar Cash Limited and has its corporate office at One World Centre, Tower 1, Floor 8,

841, Senapati Bapat Marg, Elphinstone, Mumbai, Maharashtra, India – 400013. Extract of the contact details of www.aadharcash.com is reproduced hereunder:



30. The learned Counsel for the Plaintiff submitted that upon physical verification of the address displayed on Defendant No. 1 by the Plaintiff's representative, it was found that the address is in possession of IndusInd Bank since the last 15 years. Further, no company in the name of Aadhar Cash Limited exists as per the publicly available records of the Ministry of Corporate Affairs. The "about us" page of Defendant No. 1 states that it is managed and operated by one BCL Enterprises Ltd i.e., Defendant No. 2. Upon further enquiries into Defendant No. 2, it was revealed that the Website of Defendant No. 2, i.e., www.bclenterprisesltd.in indicates that Defendant No. 2 is a NBFC.

31. The learned Counsel for the Plaintiff submitted that Defendant No. 2 obtained its Certificate of Registration from Reserve Bank of India to carry on the business of non-banking financial institution on 28.02.2000. At present, Defendant No. 2 is carrying on activities of NBFCs. The records show that Defendant No. 2 is undergoing Corporate Insolvency Resolution Process. The role of Defendant No. 2 and the scale of its operations are

unclear at present and shall be revealed during discovery in the present proceedings.

32. The learned Counsel for the Plaintiff submitted that further enquiries into the Mobile Number available on Defendant No. 1 revealed that the Mobile Number is a business account offering loan related services. The details given in the WhatsApp description of the said phone number contain an address, i.e., 573, 3rd Floor, Main Road, Chirag Delhi, New Delhi – 110017. Upon physical verification of the said address, it was found that the address is at the registered office of one M/s Aadhar Financial Services Limited, i.e., Defendant No. 3. Further enquiries by the Plaintiff's representative revealed that the premises also house a Chartered Accountancy firm, namely M/s MDG India, in addition to M/s Aadhar Financial Services Limited. Screenshots of Defendant No. 3's Website are reproduced hereunder:

33. The learned Counsel for the Plaintiff submitted that the content available on the Website of Defendant No. 3 is also identical to Defendant No. 1. The Plaintiff apprehends that Defendant No. 3 is in the process of updating the front-end of the website, www.aadharcredit.com, and given the nature of the domain and the recent registration, Defendant No. 3 will use the said domain to carry out the infringing and fraudulent website. Comparison of Defendant No. 1's "about us" page with Defendant No. 3's website's "about us" page is reproduced hereunder:

www.aadharcash.com	www.aadharcredit.com
Welcome to Aadhar Cash www.aadharcash.com is a website managed and operated by BCL Enterprises LTD. To know more, visit our Terms of Use. About Us Aadhar Cash has been serving in the financial sector for the last 1 year, being one of the best loan providers in India. We believe in building long-term relationships with our clients and maintaining transparency as our core value. Our policies have created millions of success stories, making us one of the largest financial distributors in India. We started as the Direct Sales Associate for GE Countrywide in 2019 and operate across India.	About Us  Welcome to Aadhar Credit https://aadharcredit.com/ is a website which is managed and operated by Aadhar Credit. To know more about Aadhar Credit Visit Terms of use. Aadhar Credit has been serving in the financial sector for the last 1 years being one of the best loan providers in India. We believe in building long-term relationships with our clients and maintain transparency which is our core business value. Our values and policies have helped us creating millions of success stories. This entitles us as one of the largest financial distributors across the territory of India. We have successfully delivered a wide range of loans to make people self-dependent in a true sense. Our company operates in all over India.

34. The learned Counsel for the Plaintiff submitted that Defendant No. 1 and Defendant No. 3's Website ("**Infringing Websites**") not only contains an identical layout and content as that of the Plaintiff's Website, but also includes photographs of the Plaintiff's Brand Ambassador, i.e., Cricketer Jasprit Bumrah, name of the Plaintiff's Grievance Officer, Mr. Vinod Vardan, and also the Plaintiff's Virtual Relationship Manager – KAI, with the Plaintiff's logo clearly visible. Such unauthorized use of the Plaintiff's Trade Mark, employees name, copyrighted content such as photographs, art works, graphics, and photos of the Plaintiff's Brand Ambassador tantamount to infringement of the Plaintiff's Intellectual Property Rights.

35. The learned Counsel for the Plaintiff submitted that there is a strong *prima facie* case for the grant of an *ex parte ad-interim* injunction. The continued operation of the Infringing Websites not only infringes the Plaintiff's Copyright in its website content and layout, but also unlawfully uses the Plaintiff's registered Trade Marks. This unauthorized use is intended to mislead members of the public into believing that the Infringing Websites are operated or endorsed by the Plaintiff, which is patently false.

36. The learned Counsel for the Plaintiff submitted that the Contesting Defendants are operating multiple websites to target innocent customers who are surfing the internet with a view to avail genuine loans. Defendant No. 1 not only violates Plaintiff's Intellectual Property Rights, but also poses a threat to the *bona fide* members of public. Furthermore, the "about us" page of Defendant No. 1 states that they have tie-ups with the leading banks like HDFC Bank, ICICI Bank, Yes Bank, Bajaj Finance, India Bulls and many more, which is giving the impression that Defendant No. 1 is a legitimate website.

37. Considering the fact that the details of the registrants are not available to the Court and the identity / similarity between the Plaintiff's and the Infringing Websites, it is clear that the intent is to make monetary gain on the strength of the Plaintiff's Trade Marks.

38. The comparative chart of the Plaintiff's Website and the Defendant No. 1 reveals that there are no differences whatsoever between the expressions used, the colour combination, the look and feel of the website. Furthermore, the Plaintiff's Brand Ambassador, i.e., Cricketer Jasprit Bumrah, name of the Plaintiff's Grievance Officer, Mr. Vinod Vardan, and also the Plaintiff's Virtual Relationship Manager – KAI are being used by Defendant No. 1. Defendant No. 1 has also copied the step-by-step guide which has been provided by the Plaintiff for its users in the exact same manner.

39. The Plaintiff's website has been in existence since 1998 and has acquired significant goodwill and public recognition. The use of identical layout, graphics, names of Plaintiff's employees, Brand Ambassador, and even the Plaintiff's AI chatbot "KAI" on the infringing websites indicates copying and deception.

40. In view of the fact that the Contesting Defendants are infringing the Plaintiff's registered marks, Copyrights, as well as the common law rights, a *prima facie* case is made out for grant of an *ex parte ad-interim* injunction in favour of the Plaintiff. A perusal of the facts shows that the balance of convenience lies in favour of the Plaintiff and if the injunction is not granted the Plaintiff will suffer an irreparable injury considering that the Infringing Websites are deceiving the customers / users by providing money lending services, it is likely to implicate the Plaintiff in the activities of the

Contesting Defendants and thereby, negatively affecting the goodwill amassed by the Plaintiff.

41. The learned Counsel for the Plaintiff humbly concedes that at this stage, the Plaintiff is not seeking immediate takedown of Defendant No. 3's Website, www.aadharcredit.com, and is only seeking injunction upon the said domain from copying the contents of the Plaintiff's Website or passing off as the Plaintiff.

42. Accordingly, it is directed as under:

a) The Defendant Nos. 1 to 3, their principal officers, proprietor, partners, servants, agents, their affiliates, subsidiaries, and all others acting for and on their behalf are restrained from using the current layout, graphics, look and feel, website design, logo and images of the Plaintiff and its website, including as part of any domain name, email ID, social media handle, WhatsApp display picture, or doing any act that suggests or represents an association with the Plaintiff, thereby leading to passing off; from using the name / mark "L&T", "L&T Finance" and / or any other mark which is identical or deceptively similar to the Plaintiff's or its parent company's registered Trade Marks in any manner whatsoever, including in connection with any goods or services, thereby causing Unfair Competition, Dilution or Tarnishment of the Plaintiff's Trade Marks and from reproducing, copying, distributing or otherwise using any part of the Plaintiff's original Copyright-protected content, including website material, images, text, graphics and promotional content, without the Plaintiff's authorization, thereby amounting to infringement of Copyright and Passing off;

b) Defendant No. 4 is directed to lock and suspend the domain name, www.aadharcash.com, and also disclose the details of the Registrant, contact email, phone number, KYC details and any other payment details which may be available with it; and

c) Defendant No. 5 is directed to disclose the details of the Registrant of Defendant No. 3's Website, www.aadharcredit.com, contact email, phone number, KYC details and any other payment details which may be available with it.

43. The compliance of Order XXXIX Rule 3 of the CPC be done by e-mail within a week.

44. List before this Court on 17.10.2025.

TEJAS KARIA, J

JULY 28, 2025/ *'AK'*