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

+ **CS(COMM) 890/2025**

**TRIVENI HOUSEHOLD ITEMS MANUFACTURERS PRIVATE
LIMITED**

.....Plaintiff

Through: Mr. Ankur Sangal, Mr. Shashwat
Rakshit and Ms. Amira Dhawan,
Advocates.

versus

RADHEY RADHEY INDUSTRIES & ANR.

.....Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **26.08.2025**

I.A. 20810/2025(Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

I.A. 20807/2025(Exemption from pre-institution Mediation)

3. This is an Application filed by the Plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (“CC Act”).
4. 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.
5. The Application stands disposed of.

I.A. 20808/2025(Additional Documents)

6. The present Application has been filed on behalf of the Plaintiff under



Order XI Rule 1(4) of the Code of Civil Procedure, 1908 (“CPC”) as applicable to Commercial Suits under the CC Act, seeking leave to place on record additional documents.

7. 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.

8. Accordingly, the Application stands disposed of.

I.A. 20809/2025(Extension of time to file Court Fees)

9. The present Application has been filed by the Plaintiff under Section 149 read with Section 151 of the CPC, seeking exemption from payment of Court Fees at the time of the filing of the Suit.

10. Considering the submissions made in the present Application, time of two weeks is granted to file the Court Fees.

11. The Application stands disposed of.

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12. Let the Plaint be registered as a Suit.

13. Issue Summons to the Defendants through all permissible modes upon filing of the Process Fee.

14. The Summons shall state that the Written Statement(s) shall be filed by the Defendants within 30 days from the date of the receipt of Summons. Along with the Written Statement(s), the Defendants shall also file an Affidavit of Admission / Denial of the documents of the Plaintiff, without which the Written Statement(s) shall not be taken on record.

15. Liberty is granted to the Plaintiff to file Replication(s), if any, within 30 days from the receipt of the Written Statement(s). Along with the Replication(s) filed by the Plaintiff, an Affidavit of Admission / Denial of



the documents of Defendants be filed by the Plaintiff, without which the Replication(s) shall not be taken on record.

16. 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.

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

18. List before the Joint Registrar on 10.10.2025 for completion of service and pleadings.

I.A. 20806/2025(U/O XXXIX Rule 1 and 2 of the CPC)

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

20. The present Suit has been filed for permanent injunction restraining infringement of the registered Trade Mark, 'TRIVENI' / 'TRIVENI



ALMIRAH' and ' (("Plaintiff's Trade Marks") and along with other ancillary reliefs.

21. The Plaintiff is a private limited company incorporated and registered under the Companies Act, 1956, having its Registered Office at Noida, Gautam Buddha Nagar, Uttar Pradesh. The Plaintiff is the proprietor of the Trade Marks 'TRIVENI' and 'TRIVENI ALMIRAH' for the business of manufacturing and marketing almirah and other furniture.

22. The learned Counsel for the Plaintiff submitted that through its predecessors, the Plaintiff coined and adopted the Trade Marks 'TRIVENI' and 'TRIVENI ALMIRAH' in the year 1995. The Plaintiff's Trade Mark



registration has been set out in Paragraph No. 9 of the Plaint and is reproduced hereunder:

S. NO.	TRADE MARK	REG. NO.	REG. DATE	CLASS
1.		1571155	22-06-2007	20

23. The learned Counsel for the Plaintiff submitted that the Plaintiff has registered the domain name / website, <https://www.trivenialmirah.com/> on 23.11.2010. The Plaintiff's website is accessible to the customers all across the country.

24. The learned Counsel for the Plaintiff submitted that Plaintiff's products are sold in over 1,000 cities through a network of more than 3,500 dealers across India. The goodwill and reputation of the Plaintiff in the Plaintiff's Trade Marks is evident from the sales figures of the Plaintiff's group of companies over the last few years. The Plaintiff states that it has achieved sales turnover of ₹381.013 crores for the Financial Year 2024-2025.

25. The learned Counsel for the Plaintiff further submitted that the Plaintiff has incurred huge expenses on advertisement and promotion of its goods in the last few years and given the widespread promotional and advertising activities undertaken by the Plaintiff, the Plaintiff's Trade Marks have become the source identifier of the Plaintiff and its goods and services.

26. Defendant No. 1, Radhey Radhey Industries having its Registered Office at Lucknow, Uttar Pradesh and Defendant No. 2, Ms. Geeta Yadav,



Trading as Radhey Radhey Industries. The Defendants are engaged in the business of manufacturing and selling of furniture. The business of Defendant No. 2 is being carried under the entity of Defendant No. 1. The Defendants have adopted the Marks ‘TRIVENI’ / ‘TRIVENI WORLD’ /



‘TRIVENI SANSAR’ / ‘TriveniWorld’, and ‘TS TRIVENI SANSAR’ (“**Impugned Trade Marks**”).

27. The learned Counsel for the Plaintiff submitted that the Plaintiff became aware about the Defendants’ intention to use the Impugned Trade Marks for the first time on 27.10.2023, when the Plaintiff came across the



Trade Mark Registration of the Impugned Trade Mark ‘TriveniWorld’, under the Application No. 4256031 in Class 20 on a ‘proposed to be used’ basis (“**Impugned Registration I**”).

28. The learned Counsel for the Plaintiff submitted that the Plaintiff was shocked to see the dishonest adoption of the Defendants and immediately filed a Rectification Petition against the Impugned Registration I before the Trade Marks Registry. However, since the Plaintiff could not find any product of the Defendants in the market, and therefore, did not file any suit proceedings against the Defendants.

29. The learned Counsel for the Plaintiff submitted that while the Plaintiff was pursuing the Rectification Petition filed against the Impugned Registration I, the Plaintiff was shocked to come across Application No.



5890376 for the Impugned Trade Mark ‘TS TRIVENI SANSAR’ in Class 20 on a ‘proposed to be used’ basis on 28.11.2024 (“**Impugned Registration II**”). The Plaintiff immediately filed an Opposition against the Impugned Registration II.

30. The learned Counsel for the Plaintiff submitted that in order to restrain the Defendants from launching their products under the Trade Mark ‘TRIVENI’, the Plaintiff issued a legal notice dated 29.11.2024 (“**Legal Notice**”) to Defendant No. 2. The Plaintiff asked the Defendants to withdraw their Trade Mark Application and cease and desist from using the Impugned Trade Marks. However, Defendant No. 2 never responded to the Legal Notice.

31. The learned Counsel for the Plaintiff further submitted that thereafter, since the Plaintiff never received any reply from the Defendants, the Plaintiff issued a reminder letter on 15.01.2025 (“**Reminder Notice**”) to Defendant No. 2. However, no response was given by Defendant No. 2 to the Reminder Notice.

32. The learned Counsel for the Plaintiff submitted that in the first week of June, 2025, the Plaintiff came to know through its market representatives, that the Defendants are expanding their business of marketing and selling steel almirah under the Impugned Trade Marks. The Plaintiff has also come across the listings of the Defendants’ products under the Impugned Trade Marks on third-party e-commerce platforms such as Amazon, IndiaMart, etc. The comparison table of the Plaintiff’s Trade Marks and the



Defendants' Impugned Trade Marks is set out hereunder:

PLAINTIFF'S TRADE MARKS	DEFENDANTS' TRADE MARKS
TRIVENI TRIVENI ALMIRAH	TRIVENI TRIVENI WORLD

33. The learned Counsel for the Plaintiff submitted that the Defendants also operate a website, <https://trivenisansar.com/>, wherein the Defendants has not only copied images of the Plaintiff's steel almirahs but also the product name such as 'BAHURANI' etc. The Defendants have named their infringing steel almirah product as 'BADHURANI', which is an imitation of the Plaintiff's almirah, i.e., 'BAHURANI'. Through the said website, the Defendants are promoting, advertising and selling the infringing products i.e., steel almirahs bearing the Impugned Trade Marks throughout the world.

34. The learned Counsel for the Plaintiff submitted that on 05.06.2025, the Plaintiff was shocked to know that the Defendants have launched their products in the market under the Impugned Trade Marks.

35. The learned Counsel for the Plaintiff submitted the Plaintiff asked its representatives to conduct a further check into the activities of the Defendants, and the Plaintiff accordingly, became aware about the business of Defendant No. 2 being carried under the name of Defendant No. 1 entity.

36. The learned Counsel for the Plaintiff further submitted during the examination of the Defendant No. 2's Impugned Registration II, the



Plaintiff's Trade Mark '  ' was cited in the Examination Report, and thereafter on the basis of non-filing of the Counter Statement



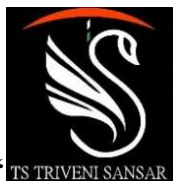
within the prescribed time, the Impugned Registration II of Defendant No. 2 was treated as abandoned *vide* order dated 07.08.2025 of the Registrar of Trade Marks.

37. Having considered the submissions advanced by the learned Counsel for the Plaintiff, the pleadings and the documents on record, a *prima facie* case has been made out by the Plaintiff for grant of an *ex-parte ad-interim* injunction. Balance of convenience is in favour of the Plaintiff and against the Defendants. Irreparable injury would be caused to the Plaintiff if the Defendants are allowed to continue the use of the Impugned Trade Marks.

38. Accordingly, till the next date of hearing, the Defendants, its directors, assignees in business, its associates, affiliates, franchisees, licensees, distributors, dealers, stockists, retailers and agents are restrained from manufacturing, selling, offering for sale, advertising, directly or indirectly dealing in furniture under the Impugned Trade Marks 'TRIVENI'



/ 'TRIVENI WORLD' / 'TRIVENI SANSAR' / 'TriveniWorld', and



'TS TRIVENI SANSAR' or any other Trade Mark that may be phonetically, visually, structurally and deceptively similar to the Plaintiff's Trade Mark 'TRIVENI'



/ 'TRIVENI ALMIRAH' and 'Triveni ALMIRAH', amounting to infringement of the said Trade Marks.



39. Let the Reply to the present Application be filed within four weeks after service of pleadings and documents. Rejoinder thereto, if any, be filed before the next date of hearing.
40. The compliance of Order XXXIX Rule 3 of the CPC be done within two weeks.
41. List before this Court on 16.12.2025.

TEJAS KARIA, J

AUGUST 26, 2025/sms