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

+ **CS(COMM) 1038/2025 & I.A. 24312-24317/2025**

X & ANR.

.....Plaintiffs

Through: Mr. Ankur Berry, Mr. Kuldeep Singh
and Ms. Shrawani, Advs. along with
Mr. Mohit Yadvav, AR

versus

Y & ORS.

.....Defendants

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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26.09.2025

I.A. 24313/2025 (seeking leave for filing additional documents)

1. This is an application seeking leave to file additional documents under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 ('CPC') read with Section 151 CPC.

2. The Plaintiffs, if they wish to file additional documents will file the same within thirty (30) days from today, and they shall do so strictly as per the provisions of the Commercial Courts Act and the Delhi High Court (Original Side) Rules, 2018 ('DHC Rules').

3. For the reasons stated in the application, the same is allowed.

4. Accordingly, the application stands disposed of.

I.A. 24315/2025 (seeking exemption from pre-litigation mediation)

5. This is an application under Section 12A of the Commercial Courts Act, 2015 read with Section 151 CPC, filed by the Plaintiffs seeking exemption from instituting pre-litigation mediation.



6. Having regard to the facts that the present suit contemplates urgent interim relief and in light of the judgement of the Supreme Court in **Yamini Manohar v. T.K.D. Keerthi**¹, exemption from the requirement of pre-institution mediation is granted to the Plaintiffs.

7. Accordingly, the application stands disposed of.

I.A. 24316/2025 (seeking exemption from service to the Defendants)

8. The present application has been filed by the Plaintiffs under section 151 of CPC, seeking exemption from advance service upon the Defendants.

9. In view of the fact that the Plaintiffs have sought an ex parte ad-interim injunction along with the appointment of Local Commissioners, the exemption from effecting advance service upon the Defendants is granted.

10. Accordingly, the application stands disposed of.

I.A. 24317/2025 (Application seeking masking of identities of the parties)

11. This is an application filed under Section 151 of the CPC read with practice direction no. 139/RULES/DHC DATED 27.05.2025 seeking leave to mask the identities of the parties to the instant suit.

12. The Court has considered the reasons stated in the captioned application, but is not persuaded to agree with the same. Learned counsel for the applicant has also not pressed for this application.

13. Accordingly, the application is dismissed.

CS(COMM) 1038/2025

14. The present suit has been filed seeking permanent injunction restraining the Defendants from infringing the registered trademarks and copyrights of the Plaintiffs, passing off their goods as those of Plaintiffs along with other ancillary reliefs

¹ (2024) 5 SCC 815



15. Let the plaint be registered as a suit.
16. The parties will file an amended memo of parties along with process fees within one (1) week after the conclusion of the local commission.
17. After the amended memo of parties is filed, simultaneously summons be issued to all the Defendants named therein. Affidavit of service be filed within two (2) weeks.
18. The summons shall indicate that the written statement(s) must be filed within thirty (30) days from the date of receipt of the summons. The Defendants shall also file affidavit(s) of admission/denial of the documents filed by the Plaintiffs, failing which the written statement(s) shall not be taken on record.
19. The Plaintiffs are at liberty to file replication(s) thereto within thirty (30) days after filing of the written statement(s). The replication(s) shall be accompanied by affidavit(s) of admission/denial in respect of the documents filed by the Defendant(s), failing which the replication(s) shall not be taken on record.
20. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
21. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.
22. The Plaintiffs have impleaded Defendant no. 14 as John Doe. In case, Plaintiff identifies any other person and/or entity from whom seizure has to be affected, it shall move an appropriate application for its impleadment and for seeking extension of the injunction to the said person/entity.
23. List before the learned Joint Registrar (J) on **24.11.2025**.
24. List before Court on **27.03.2026**.



I.A. 24312/2025 (application under Order XXXIX, Rules 1 & 2 CPC)

25. The present application has been filed by the Plaintiffs under Order XXXIX, Rules 1 and 2 of the CPC, seeking inter alia an ex parte ad interim injunction.

26. Learned counsel for the Plaintiffs sets up the Plaintiffs' case as follows:

26.1 Plaintiffs are engaged in the business of manufacturing and selling of electrical accessories such as home automation devices, wires and cables, switch, switch plates, dimmers, fans, etc.

26.2 The Plaintiff no .1, Panasonic Holdings Corporation, formerly known as Matsushita Electric Housewares Manufacturing Works, acquired the Plaintiff no. 2's company in 2007 along with its duly registered Trademark



"ANCHOR / ", which was duly registered in 1963.

26.3 The Plaintiff No. 1 is the registered owner of the said trademark in various classes, whereas Plaintiff No. 2 is the licensee/permitted user. The details of the trademark registration are mentioned at paragraph 10 of the plaint.

26.4 The Plaintiffs have been using the aforesaid trademarks in an artistic way, comprising of the word ANCHOR, as well as the picture of an 'anchor',



as also the placement of the colour, artistic features etc.

26.5 The Plaintiffs' products have garnered substantial goodwill and revenue in India, with a turnover of INR 43,82,24,99,963/- in the financial year 2023-24 and INR 18,21,81,24,449/- for the current financial year, details of which are mentioned in paragraph no.7 of the plaint.



26.6 The Plaintiffs have spent a substantial sum of money on the publicity of the said trademarks. The advertisement and promotion expenses incurred by the Plaintiffs for 2023- 2024 itself were 1,36,27,48,479.26/- as mentioned at paragraph 15 of the plaint.

26.7 It is the case of the Plaintiffs that in July 2025 the Plaintiffs came to know that the Defendants are engaged in the manufacture, packaging, printing, sale and use and trading of wires, cables, electrical accessories, and related products similar to/ resembling the Plaintiffs' products and selling the counterfeit products from several units, a list of which is given at paragraph 25 of the plaint.

26.8 It is stated that the production of electrical components, including wires, cables, switches, and accessories, involves an intricate process that demands strict adherence to quality standards to ensure safety and reliability; failure of which can have disastrous consequences, including fires and short circuits that pose a significant risk to human life and property. Notably, the Defendants' manufacturing process appears to fall short of these standards, and they lack a valid Indian Standards Institution Mark, ['ISI Mark'] certification as per the Plaintiffs' knowledge, which is a crucial indicator of quality and compliance.

26.9 Upon investigation, it was revealed that Defendant No. 5 is engaged in the manufacturing of counterfeit products, Defendant no. 3 is engaged in printing polythene/cardboard/paper-packaging, which does not meet the standard put in place by the plaintiffs. Defendant nos. 1 and 7 are engaged in packaging of the products. Thus, Defendant nos. 1, 3, 5 and 7 are responsible for manufacture and packaging of the counterfeit products.



These counterfeit products are being made available to other local sellers, including but not limited to Defendant Nos. 2, 4, 6, 8 to 13, who are in turn selling to the general public.

27. Learned counsel for the Plaintiffs has placed reliance on a comparison chart given at paragraph 33 of the [plaint](#) and states that the Defendants are infringing and passing off the Plaintiffs' trademark, by illegally and



maliciously employing the same using the “ANCHOR/”trademarks on their respective products. The table showing the comparison is set out as under:

PLAINTIFF'S PRODUCTS	IMPUGNED PRODUCTS
COMPARISON CHART OF THE COUNTERFEIT FAN REGULATOR OF THE DEFENDANT TO THAT OF THE GENUINE PRODUCT OF THE PLAINTIFF:	
GENUINE	COUNTERFEIT
I. Boss is supported by metal O-ring.	I. Boss is not supported by any metal O-ring.
	
COMPARISON CHART OF THE COUNTERFEIT SOCKET OF THE DEFENDANT TO THAT OF THE GENUINE PRODUCT OF THE PLAINTIFF	



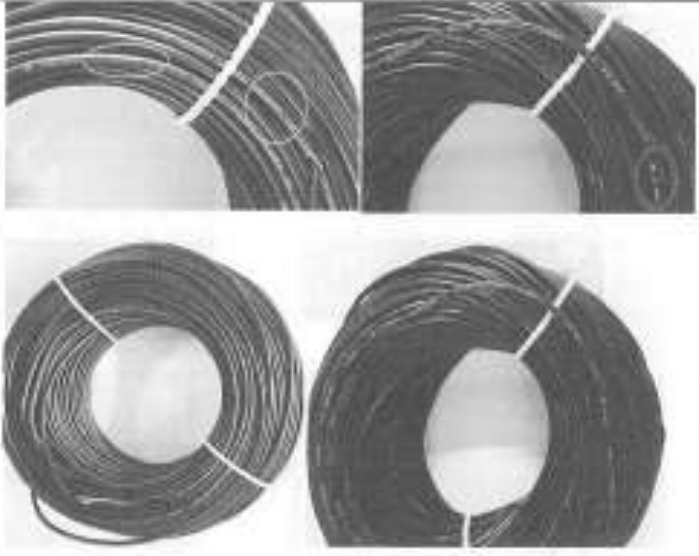
GENUINE	COUNTERFEIT
1. The CM/L No. mentioned on the plastic pouch and the product therein are same.	1. The CM/L No. mentioned on the plastic pouch and the product therein are different.



COMPARISON CHART OF THE COUNTERFEIT WIRE OF THE DEFENDANT TO THAT OF THE GENUINE WIRE OF THE PLAINTIFF:

GENUINE	COUNTERFEIT
1. The code of IS:694 is mentioned just before ISI mark on the genuine wire.	1. The code of IS:694 is mentioned just after ISI mark on the counterfeit wire.



	
COMPARISON CHART OF THE COUNTERFEIT WIRE PACKING BOX OF THE DEFENDANT TO THAT OF THE GENUINE WIRE PACKING BOX OF THE PLAINTIFF:	
GENUINE	COUNTERFEIT
1. Mention the circle mark is small compared to counterfeit.	1. Mention the circle mark is bigger compared to genuine.
2. QR code sticker is affix on the box.	2. QR code sticker is not affix on the counterfeit box.



28. She also presented before the Court samples of the Plaintiffs' products alongside the Defendants' counterfeit products highlighting the inferior quality of Defendants products manufactured without adherence to requisite safety standards, which, given the nature of the products, poses a significant risk of serious harm to the public if handled.

29. She submitted that for instance, the regulator manufactured by the Defendants does not have a O-ring and this could result in shock to the user.

30. She explained that CM/L number mentioned on the plastic pouch and the product of the Plaintiff are an identical match. However, in the



counterfeit products the CM/L number mentioned on the plastic pouch and the product are different and, in some cases, non-existent.

31. The Court has heard the learned counsel for the Plaintiffs and has perused the case.

32. The Plaintiffs are the registered owner/licensee/permitted user of the said trademark and has been using the said trademark uninterruptedly. The Plaintiffs have prima facie demonstrated that counterfeit products are being manufactured and sold by the Defendants to the general public. The Plaintiffs have placed on record the affidavit dated 23.09.2025 of its investigator who has deposed that he has visited each of the thirteen premises enlisted in the memo of parties and verified the counterfeiting activities.

33. In the considered opinion of this Court, the Plaintiffs have been able to make out a *prima facie* case in its favour. The balance of convenience is also in favour of the Plaintiffs and against the Defendants. As this is the case where Defendants are dealing in the identical/similar goods having the same consumer base as those of Plaintiffs, the Plaintiffs are likely to suffer grave irreparable harm in case an ex-parte ad-interim injunction is not granted. Furthermore, having regard to the nature of the goods in question, this Court is of the considered view that the public at large would suffer irreparable harm due to the sale of these counterfeit products which prima facie do not adhere to safety standards should the ad-interim injunction be withheld.

34. Accordingly, till the next date of hearing, the Defendants by themselves or through partners, or proprietor, as the case may be, assigns in business, distributors, licensees, suppliers, agents, printers, franchisees, dealers, their principal officers, servants and agents, and all others acting for



and on behalf of them are restrained from manufacturing, assembling, printing, selling, offering for sale, advertising, directly or indirectly dealing

in counterfeit ANCHOR/  branded products or any other products

under the trade mark ANCHOR/  or packaging pertaining thereto or any other deceptively similar trade mark/package and/or any unauthorized

use of ANCHOR/  trade mark/ trade dress/labels/logos/colour combination/package/get up/ copyright/device elements which is a colourable imitation and/ or a substantial reproduction of the plaintiffs'

ANCHOR/  /labels/package/logos/colour combination/get-up/device elements/trade dress as may lead to confusion or deception and are restrained from continuing their services and using the Trade name and

Trademark of the Plaintiffs "ANCHOR/  "in an unauthorized way.

35. In view of the fact that the Plaintiffs have sought appointment of a Local Commissioner to seize the infringing and counterfeit product and packaging, the very purpose of grant of ex-parte ad interim injunction would be defeated if the Defendants are given notices contemplated in Order XXXIX Rule 3 of CPC prior to the execution of the commission. Hence, it is directed that the Plaintiffs shall serve notice under Order XXXIX Rule 3 of CPC at the time of execution of the Local Commission which shall not be later than two (2) weeks from today.



36. List before the learned Joint Registrar (J) on 24.11.2025.

37. List before Court on **27.03.2026**.

I.A. 24314/2025 (for appointment of local commissioner)

38. This present application has been filed under Order XXVI Rule 9 read with Section 151 of CPC seeking the appointment of Local Commissioners.

39. Learned counsel for the Plaintiff states that though there are 13 locations, some of them are close by and therefore requests for appointment of six (6) Local Commissioners.

40. In order to ensure that the injunction is fully complied with and to preserve the evidence of infringement, this Court deems it appropriate to appoint six (6) Local Commissioners; details are hereunder:

S.No	Entity Name	Address of the premises to be Visited	Police Station Address	Name of LCs
1.	unknown	G-21-22, Gali No. 39, Mahindra Park, Aadarsh Nagar, Delhi – 110033	Police Station- Mahindra Park, Delhi	Ms. Shikha Baisoya, Advocate (E. No. D/5870/2021) M. No. 9582444962
		Shop No. 22, Gali No. 10, Main 25 Feet Road, Shani Bazar Road, Jharoda Majara, Burari, Delhi – 110084	Police Station – Burari, Delhi	
2.	unknown	Building No. 4/1888, Rama Block, Bhola Nath Nagar, Shahdara, Delhi -110032	Police Station- Farsh Fazar, Delhi	Ms. Pooja Satheesh, Advocate (E. No. D/8239/2023) M. No. 6238892538 Email:
		A-5, Rajeev Nagar, Mandoli, Delhi – 110093	Police Station- Harash Vihar, Delhi	



3.	unknown	458/ 466, Sambhunath Compound, Gali No. 8, Friends Colony, Shahdara, Delhi – 110095	Police Station- GTB Enclave, Delhi	Ms. Nandini Bali, Advocate (E. No. D/3403/2020) M. No. 9810155735
		1/6, Geeta Colony, Jheel Chowk, Tanga Stand, Delhi – 110031	Police Station- Geeta Colony, Delhi	
4.	unknown	22/55, Srai Top Khana, H.C. Sen Road, Bhagirath Palace, Delhi -110006	Police Station- Kotwali, Delhi	Mr. Rinku Mathur, Advocate (E. No. D/5809/2017) M. No. 9899499121
		A-66, Near BOI, Phase-1, Main Kanjawala Road, Buddh Vihar, Delhi 110086	Police Station- Vijay Vihar, Delhi	
5.	unknown	4/1920, Tirlok Puri, Delhi – 110091	Police Station- Kalyanpuri, Delhi	Mr. Gaurav Manuja, Advocate (E. No. D/2/2017) M. No. 9654234234 (email: advocategauravv@gmail.com)
		260-B, Sector 16B, Vasundhara, Ghaziabad – 201012 Uttar Pradesh	Police Station- Indrapuram, Ghaziabad, Uttar Pradesh	
		428, Opp. CEL, Jhandapur, Site- 4, Industrial Area, Sahibabad, Ghaziabad – 201010, Uttar Pradesh	Police Station- Link Roar, Ghaziabad, Uttar Pradesh	
6.	Unknown	20/2, Kakrola Road, Najafgarh, Delhi – 110043	Police Station - Dwarka North, Delhi	Mr. Rukban Tyagi, Advocate (E. No.)



		Shop No. 115, Ground Floor, Shushant Lok 1, Sector- 43, Gurgaon – 122022, Haryana	Police Station – Sushant Lok, Gurgaon, Haryana	D/2690/2011) M. No. (9582786764) (email: rukbantyagi@gmail.com)
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41. The mandate of the Local Commissioner is as under: -

- I. The Local Commissioners shall visit the premises of the Defendants as mentioned above, to inspect and seize the infringing products of the Defendants bearing the registered trademarks of the Plaintiffs.
- II. The Local Commissioners are permitted to seize the infringing products bearing the impugned marks at the above premises and if knowledge is acquired of any other premises of the defendants where the products could be stored, the Local Commissioners are free to record the same and then visit the other premises and conduct a seizure there as well.
- III. The Local Commissioners shall also inspect and seize any products/materials including pamphlets, brochures, stickers, packaging materials, dyes or blocks used for preparing the manufacturing materials, display boards, sign boards, advertising material, dyes or blocks, unfinished, packed, unpacked infringing products bearing the impugned marks or any other documents, wrapper etc. so that it can be ensured that no fresh manufacturing of the infringing products bearing the impugned marks can take place.
- IV. The Local Commissioners shall also obtain the details as to since when infringing products bearing the impugned marks are being used by the Defendants and obtain copies of the accounts, if the same is



found to be sold in market.

- V. The Local Commissioners shall obtain accounts including ledgers, stock registers, invoice books, receipt books, cash books, purchase and sale records and any other books of record or commercial transactions kept at the premises of the defendant and take a photocopy and/or record of all such transactions that pertain to infringing products, if any. The Defendants shall cooperate and give passwords to the computers and the files containing the accounts, if the same is stored on the computer or a specific software.
- VI. After preparation of the inventory, the infringing products bearing the impugned marks, in fully manufactured or unfinished condition, including packaging materials, advertising, promotional materials, pamphlets, brochures, boxes, videos, hoardings, brochures, banners, cartons and other material bearing the impugned marks or the marks, which are similar to the Plaintiff's trademarks, shall be released to the Defendants on *Superdari*. The monetary value of the stock shall also be ascertained.
- VII. Upon being requested, the concerned jurisdictional police authorities, the Commissioner of Police/Superintendent of Police and/or the Station House Officer ('SHO'), shall render necessary cooperation for execution of the commissions, as per this order.
- VIII. The Local Commissioners are also permitted to break open the locks, with the help of the local police, if access to the premises, is denied to the Commissioners.
- IX. The Local Commissioners are permitted to take photographs and videography of the proceedings of the commission, if it is deemed



appropriate. Two (2) representatives of the Plaintiffs, which may include a lawyer, are permitted to accompany the Local Commissioner.

- X. The Local Commissioners, while executing the commission, shall ensure that there is no disruption to the business of the Defendants, except for the purposes of the execution of the commission. The commission shall be executed in a peaceful manner.
- XI. Copy of the order and complete paper book shall be served by the Local Commissioners upon the Defendants at the time of execution of commissions.
42. The Defendants, will have liberty to approach the Court for variation, modification or even vacation of the order passed by this Court and shall have a right to defend themselves on the next date of hearing before this Court, which shall be duly intimated to him or them by the counsel for the Plaintiffs and the Local Commissioner.
43. The order passed today, shall not be uploaded for a period of two (2) weeks for enabling the execution of the commissions.
44. The Local Commissions shall be executed within two (2) weeks. The report of the Local Commissioners shall be filed within two (2) weeks thereafter.
45. The fee is fixed at Rs. 2,50,000/- each for the Local Commissioner enlisted at serial nos. 5 and 6 where the location is situated in the State of Uttar Pradesh and Haryana; and Rs. 2,00,000/- for each Local Commissioner enlisted at serial nos. 1 to 4 for the locations situated in the State of New Delhi, excluding out-of-pocket expenses, travel expenses, etc., which is to be borne by the Plaintiffs.



46. In terms of the foregoing, the present application stands disposed of.
47. Either the learned counsel for the Plaintiff or the learned Local Commissioner is directed to collect certified copy of this order from the Registry (Dispatch Branch) before for execution of the Commission.
48. The learned Local Commissioner shall carry the certified copy of this Order for execution of the Commission and a copy of the same shall be served upon the Defendant by the learned Local Commissioner at the time of the execution of the Commission.
49. Copy of this order to be given *dasti* under the signatures of the Court Master.

MANMEET PRITAM SINGH ARORA, J

SEPTEMBER 26, 2025/msh/AJ