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

\+ CS(COMM) 1080/2025 & I.A. 25061-25062/2025 I.A. 31215/2025

RASHI SANTOSH SONI AND ANR .....Plaintiffs

Through: Mr. Jaspreet Singh Kapur, Mr. Washim Ansari and Ms. Shweta, Advs.

versus

MOHIT ELECTRONICS .....Defendant

Through: Mr. Tejveer Bhatia, Adv.

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 12.12.2025

I.A. 31215/2025

1. The application filed on behalf of the plaintiffs under Order XI Rules 1(1)(c)(ii) and (5) read with Section 151 of the Code of Civil Procedure, 1908 [‘CPC’] [as amended by the Commercial Courts Act, 2015] seeking to file documents referred in paragraph 3 of this application.

2. For the reasons stated in the application, the same is allowed and accordingly, the documents referred in paragraph 3 of this application, are taken on record.

3. The defendant is at liberty to file rebuttal documents if any within two (2) weeks, failing which the liberty shall stand exhausted.

4. The affidavit of admission/denial of documents be filed within four (4) weeks.

5. With the aforesaid directions the application stands disposed of.

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6. Learned counsel for the parties' state that pleadings in the suit and the captioned application are complete.

7. Learned counsel for the plaintiff states that defendant has not complied with the directions issued at paragraph 22 of the order dated 09.10.2025. He further submits that the affidavit dated 22.11.2025 is non-compliant.

7.1 He states neither the GST returns have been filed as directed by the Court, nor the figures set out at paragraph 3 of the affidavit dated 22.11.2025 correspond to the Chartered Accountant's certificate annexed therewith.

7.2 In response, learned counsel for the defendant states that defendant will file a fresh affidavit with a fresh certificate of the CA and ensure that the figures therein are accurate.

8. Upon a comparison of the figures set out in paragraph 3 with those reflected in the Chartered Accountant's certificate, this Court is satisfied that the figures do not correspond. Inasmuch as the Chartered Accountant's certificate reflects figures for the entire financial year, whereas the figures stated in paragraph 3 pertain only to a part of the financial year.

9. The defendant is directed to file a fresh affidavit within a period of one (1) week. The defendant shall also file its GST returns along with the affidavit. After perusal of the invoices and any other relevant documents of defendant, the Chartered Accountant shall issue a fresh certificate disclosing the number of products sold by defendant under the impugned brands mentioned at paragraph 3 of the affidavit dated 22.11.2025.

10. This Court clarifies that if there is any discrepancy in the fresh certificate, the Chartered Accountant will be held personally liable for the issuance of an incorrect certificate. A copy of this order will be served by the defendant on Chartered Accountant Mr. Hardik Purswani.

11. The defendant is directed to join the proceedings through video conferencing link on the next date of hearing.

12. Learned counsel for the defendant states that defendant is in strict compliance with the undertaking given on 28.10.2025 and no products are being sold under the mark “NEW SURYA GOLD” and “SUN GOLD”.

13. Learned counsel for the plaintiff however states that there are listings available on India Mart which shows that defendant continues to offer for sale “NEW SURYA GOLD” and “SUN GOLD”.

14. The defendant will ensure that those infringing listings are removed forthwith within a period of one (1) week.

15. List on **29.01.2026**.

MANMEET PRITAM SINGH ARORA, J

DECEMBER 12, 2025/hp