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

+ **CONT.CAS(C) 1559/2025 & CM APPL. 65624/2025**

DARZI INDIA LLP

.....Petitioner

Through: Mr. Anirudh Bakhru, Mr. Prakhar
Singh and Mr. N. Nawab, Advs.

versus

KAFIL AHMED

.....Respondent

Through: Mr. Utsav Mukherjee and Mr. Kiratraj
Sadana, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **16.10.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 65625/2025 (exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

**CONT.CAS(C) 1559/2025 & CM APPL. 65624/2025 (for temporary
injunction)**

3. The present petition under Sections 10 and 12 of the Contempt of Courts Act, 1971, read with Article 215 of the Constitution of India, seeks the following prayers: -

- (i) Initiate contempt of court proceedings against Respondent/Contemnor for violating the order and decree dated 20th February, 2025 IN CS (COMM) 151/2025;
- (ii) Hold the Contemnor to be in civil contempt of this Hon'ble Court and initiate civil contempt proceedings against the Contemnor;
- (iii) Punish the Contemnor in accordance with law, and specifically, to order the arrest, attachment of property, assets, and detention of the contemnors in prison, and to impose a fine as this court may deem fit and proper;



(iv) Direct the Respondent to purge themselves of the contempt to the extent possible by complying with the order and decree dated 20th February, 2025 and also comply with the undertakings made therein and adopt and use the mutually agreed trade mark KAFIL DARZI only;

(v) Restrain the Respondent, his agents, partners, principals, employees, agents, distributors, franchisees, representatives, assigns, and all those connected with them in their business from



using the impugned trade mark being and/or any other trade mark other than undertaken trade mark being 'KAFIL DARZI'.

(vi) Direct the Respondent to remove the impugned trade mark from all the online platforms, e-commerce websites and all other social media platforms; (vii) Direct the Respondent to withdraw the trade mark application no. 6937577;

(viii) Direct Respondent to personally appear before this court; and Pass any other order and further orders which this Hon'ble court may deem fit and proper under the facts and circumstances of the present case.

4. *Vide* order dated 20.02.2025 in CS (COMM) 151/2025, the learned Single Judge of this Court had passed the following directions:-

“7. Learned counsel appearing for the defendant has put in appearance upon advance notice.

8. Upon instructions, learned counsel appearing for the defendant submits that the defendant shall delete the use of the word 'The' from their aforesaid mark and shall confine the usage of their mark to 'KAFIL DARZI'.



9. Learned counsel appearing for the plaintiffs expresses satisfaction over the statement made by learned counsel appearing for the defendant. He submits that the plaintiffs have no objection if the defendant uses the mark 'KAFIL DARZI' or the device mark with the word 'KAFIL DARZI' only.
10. He further submits that the defendant ought not to use the mark 'DARZI' on a standalone basis, since the plaintiff has registered trademark for the word mark 'DARZI' also.
11. Learned counsel appearing for the defendant gives his consent to the aforesaid. However, he submits that the defendant be granted time of eight weeks for the purposes of carrying out requisite changes in the mark and other labels, etc.
12. The parties are held bound by the aforesaid statements.
13. Considering the submissions made before this Court, the suit is decreed in favour of the plaintiffs and against the defendant in terms of Para 67 (a), (b) and (c) of the plaint.
14. The defendant shall change its packaging, promotional material, catalogues, labels, prints, packages, etc., by adopting the new mark/device mark 'KAFIL DARZI' within a period of eight weeks from today.
15. Decree sheet be drawn up.
16. Accordingly, the present suit along with the pending applications, stands disposed of."

5. It is the case of the petitioner that the respondent is using the mark as:





6. Learned counsel for the petitioner submits that the said mark of the respondent is clearly in violation of the aforesaid order.
7. Learned counsel appearing on behalf of the respondent, on advance notice, submits that the aforesaid judgment allowed the respondent to use the words “KAFIL DARZI”, and therefore, the said mark is permissible in terms of the aforesaid order.
8. Learned counsel for the respondent seeks liberty to move an appropriate application, before the learned Single Judge, seeking clarification. Let the same be done within a period of two weeks.
9. List for reply, if any, on behalf of respondent on 30.10.2025.

AMIT SHARMA, J

OCTOBER 16, 2025/mj/db