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

+ **CS(COMM) 1400/2025**

VOLTAS LIMITED

.....Plaintiff

Through: Ms. Kruttika Vijay, Mr. Shivansh
Tiwari, Ms. Geetanjali Visvanathan
and Mr. Tarun Tripathi, Advocates.

versus

YOUR VOLTA SERVICES PRIVATE LIMITEDDefendant

Through:

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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22.12.2025

I.A. No. 32418/2025 (Exemption from pre-institution Mediation)

1. 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”).
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.

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4. Let the Plaint be registered as a Suit.
5. Issue Summons. Let the Summons be served to the Defendant through all permissible modes upon filing of the Process Fee.



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

7. Liberty is granted to the Plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the Plaintiff, an Affidavit of Admission / Denial of the documents of Defendant be filed by the Plaintiff, without which the Replication shall not be taken on record.

8. 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.

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

10. List before the learned Joint Registrar on 24.02.2026 for completion of service and pleadings.

I.A. No. 32416/2025 (Exemption from filing clear copies of documents)

11. Exemption is allowed, subject to all just exceptions.

12. The Application stands disposed of.

I.A. No. 32417/2025 (O-XI R-1(4) of the Code of Civil Procedure, 1908)

13. 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.



14. The Plaintiffs are permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

15. Accordingly, the Application stands disposed of.

I.A. No. 32415/2025 (U/O XXXIX Rule 1 & 2 of CPC)

16. Issue Notice. Notice be served through all permissible modes upon filing of the Process Fees.

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



, ("Plaintiff's Mark") passing off, dilution, unfair competition for rendition of accounts / damages, delivery up, etc.

18. The learned Counsel for the Plaintiff made the following submissions:

18.1. The Plaintiff was incorporated in the year 1954 and is engaged in the business of manufacturing of air conditioners and engineering service provider and offers engineering solutions for a wide spectrum of industries such as heating, ventilation, air conditioning, refrigeration, climate control, electro-mechanical, textile machinery, mining and construction, water management, building management systems, pollution control etc. The Plaintiff also manufactures products for industrial use such as industrial air conditioning and refrigeration equipment, air coolers, water coolers, air purifier, water heater, freezers, commercial refrigerators, visicoolers, vapour absorption machines.

18.2. The Defendant, *Your Volta Services Private Limited*, is a company engaged in the business of providing Electric Vehicles ("EV") cab



aggregator and driver services through its mobile applications and online platforms.

18.3.The Defendant is using the Marks, ‘’, and



‘’ (“**Impugned Marks**”) when compared as a whole are visually, structurally and phonetically identical / deceptively similar to the Plaintiff’s Mark. The Defendant has attempted to come as close as possible to the Plaintiff’s Mark, with the adoption of a substantially similar shade of blue and identical stylization of the letter ‘A’ for its Impugned Marks including writing the same as an inverted ‘V’.

18.4.The Defendant is actively using the Impugned Marks for its EV cab services on its website, <https://www.voltacabs.com/> (“**Impugned Website**”) and also on various apps including ‘Volta- Book Auto, Bike & Car’ and ‘Volta Driver’ (“**Impugned Apps**”) on the Google Play Store and Apple App Store.

18.5.The Defendant’s *mala fide* in coming as close as possible to the Plaintiff’s Mark was further buttressed by the manner of its use and adoption of the Impugned Marks across its Impugned Website and Impugned Apps where it has consistently used expressions such as ‘VOLTASTIC’. Additionally, when a user tries to login on the Defendant’s Impugned Apps, the one-time password received is from the address ‘CP-YVOLTA-S’. Such manner of use of expressions such as ‘VOLTASTIC’ is clearly meant to confuse an unsuspecting consumer, who would be tricked into believing that the goods and



services provided under the Impugned Marks are originating from or associated with the Plaintiff.

19. Given the overall nature of the dispute, this is an apt case for the Parties to explore possibility of discussing and resolving the dispute amicably through mediation. Accordingly, it is expedient to refer the Parties to Mediation before the Delhi High Court Mediation and Conciliation Centre (“**DHCMCC**”). The Parties shall appear before the DHCMCC on 12.01.2026 at 2:30PM. The learned Co-ordinator is requested to issue Notice to the Defendant for the date and time fixed before DHCMCC.

20. The learned Counsel for the Plaintiff requested that during the period of Mediation, at least the Defendant be restrained from using the expressions ‘VOLTASTIC’ and ‘CP-YVOLTA-S’. It was submitted that when anyone tries to login on the Defendant’s Impugned Apps, the one-time password received is from the address ‘CP-YVOLTA-S’, which are clearly meant to confuse an unsuspecting consumer, who would be tricked into believing that the goods and services provided by the Defendant are originating from or associated with the Plaintiff by coming as close as possible to the Plaintiff’s Mark. It was also submitted that the Plaintiff shall suffer grave, irreparable, and irretrievable loss, injury, and damages as the balance of convenience lies entirely in favour of the Plaintiff.

21. Having considered the submissions advanced by the learned Counsel for the Plaintiff, the pleadings and the documents on record it is clear that the Defendant’s services, the expressions ‘VOLTASTIC’ and ‘CP-YVOLTA-S’ are *prima facie* visually, phonetically, structurally and deceptively similar to the Plaintiff’s Mark and an unwary consumer of average intelligence and imperfect recollection, the use of the expressions



‘VOLTASTIC’ and ‘CP-YVOLTA-S’ are likely to appear identical, thereby leading to confusion regarding the source or origin of the goods or services.

22. Thus, the balance of convenience lies in favour of the Plaintiff. Irreparable injury would be caused to the Plaintiff if an *ex-parte ad-interim* injunction is not granted to the Plaintiff.

23. Accordingly, till the next date of hearing, the Defendant, its directors, assignees in business, its associates, affiliates, franchisees, licensees, distributors dealers, stockists, retailers, and agents are restrained from using the expressions ‘VOLTASTIC’ and ‘CP-YVOLTA-S’ as the same are phonetically, and visually deceptively similar to the Plaintiff’s Mark,

‘VOLTAS / ’, amounting to infringement and / or passing off of the Plaintiff’s Mark.

24. Let the Reply to the present Application be filed within four weeks after service of Notice. Rejoinder thereto, if any, be filed before the next date of hearing.

25. The compliance of Order XXXIX Rule 3 of the CPC be done within three weeks.

26. List before this Court on 22.04.2026.

TEJAS KARIA, J

DECEMBER 22, 2025/ap