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

+ **CS(COMM) 1427/2025 & I.A. 32804-32810/2025**

THE RITZ HOTEL LIMITED & ORS.

.....Plaintiffs

Through: Mr. Pravin Anand, Ms. Vaishali Mittal, Ms. Gitanjali Sharma and Mr. Shivang Sharma, Advs.

versus

MR SHAHJAHAN KHAN & ANR.

.....Defendants

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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24.12.2025

I.A. 32807/2025

1. This is an application under Section 151 of the Code of Civil Procedure, 1908 ['CPC'], filed by the Plaintiffs seeking exemption from filing clearer copies of dim documents.

2. Subject to the Plaintiffs filing clearer copies of dim documents within a period of four (4) weeks from today, exemption is granted for the present, failing which the Plaintiffs will not be entitled to rely upon these documents.

3. Accordingly, this application is disposed of.

I.A. 32806/2025

4. This is an application seeking leave to file additional documents under Order XI Rule 1(4) of CPC [as amended by the Commercial Courts Act, 2015] read with Section 151 CPC, within thirty [30] days.

5. 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, 2015 and the Delhi High Court (Original Side) Rules, 2018.

6. Accordingly, the application is disposed of.

I.A. 32808/2025

7. 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.

8. 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.

9. Accordingly, the application stands disposed of.

I.A. 32809/2025

10. This application under Section 151 of CPC has been filed by the Plaintiffs seeking extension to file the Court Fees.

11. Mr. Pravin Anand, learned counsel for the Plaintiffs state that this application has become infructuous as the Court fees stands deposited and the Court fees certificate stands e-filed.

12. Accordingly, the application stands disposed of as being infructuous.

I.A. 32810/2025

13. This application under Section 151 of CPC has been filed by the Plaintiffs seeking liberty to file documents pertaining to goodwill and reputation electronically on a pen drive and seeking exemption from filing the said documents in PDF version.



14. The Plaintiffs are directed to file the pen-drive in accordance with the Rule 24 of Chapter XI of the Delhi High Court (Original Side) Rules, 2018 after serving an advance copy on the Defendants.

15. Registry may receive electronic record on pen-drive so long as it is encrypted with a hash value or in any other non-editable format. The content contained in the pen-drive be placed in the electronic record of the present suit in a format which is non-editable, so that the same can be viewed by the court during hearing.

16. With the aforesaid directions, this application stands disposed of.

CS(COMM) 1427/2025

17. Mr. Pravin Anand, learned counsel for the Plaintiffs state that advance service has been effected. However, none appears for the Defendants.

18. Let the plaint be registered as a suit.

19. Summons be issued to Defendants by all permissible modes on filing of process fee. Affidavit of service be filed within two [2] weeks.

20. The summons shall indicate that the written statements must be filed within thirty [30] days from the date of receipt of the summons. The Defendants shall also file affidavits of admission/denial of the documents filed by the Plaintiffs, failing which the written statements shall not be taken on record.

21. 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 Defendants, failing which the replication(s) shall not be taken on record.

¹ (2024) 5 SCC 815



22. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

23. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

24. List before the learned Joint Registrar (J) on **19.02.2026**.

25. List before Court on **22.05.2026**.

I.A. 32805/2025

26. This is an application filed under Order XI Rule 2 [as amended by the Commercial Courts Act, 2015] read with Section 151 of CPC seeking administration of interrogatories upon the Defendants.

27. Issue notice to the Defendants through all modes.

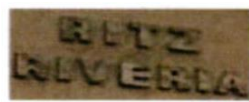
28. Reply be filed within four [4] weeks. Rejoinder thereto, if any, be filed within four [4] weeks.

29. List before the learned Joint Registrar (J) on 19.02.2026.

I.A. 32804/2025

30. This application under Order XXXIX Rules 1 and 2 of CPC has been filed by the Plaintiffs seeking ex-parte ad-interim injunction against the Defendants.

31. The present suit has been filed by the Plaintiffs seeking permanent injunction restraining the Defendants from using 'RITZ RIVERIA', 'HOTEL RITZ RIVERIA', 'HOTEL O BY OYO RITZ RIVERIA', 'RITZ',



, and other derivatives using the expression 'Ritz' [hereinafter referred to as the 'Impugned Marks'].

32. Mr. Pravin Anand, learned counsel for the Plaintiffs has set-up the Plaintiffs' case as under: -



32.1. Plaintiff No. 1 [i.e., The Ritz Hotel] is one of the world's foremost luxury hospitality providers and owns the famous Ritz Paris hotel, which was established in Paris in the year 1898 and is regarded as one of the most famous and prestigious hotels in the world. Plaintiff No. 1's hotels under the 'RITZ' mark have been in operation for more than a century.

32.2. Plaintiff No. 2, The Ritz-Carlton Hotel Company, L.L.C. is a wholly owned subsidiary of Marriott International, Inc. Plaintiff No. 2's first hotel in India was The Ritz-Carlton, Bengaluru, which opened to the public in 2013, and its use of Ritz-Carlton internationally dates to at least as early as 1927.

32.3. Plaintiff No. 2 owns the world-famous trademarks RITZ-CARLTON,



THE RITZ-CARLTON



THE RITZ-CARLTON

and variations thereof ['Ritz-Carlton Marks']. Plaintiff No. 2 has registered the Ritz-Carlton Marks in India, where they are used, inter alia, at and in connection with five-star luxury hotels located in Bengaluru and in Pune.

32.4. Plaintiff No. 3 is the current owner of part of the 'RITZ' trademarks of Plaintiff Nos. 1 and 3, a family of RITZ marks and RITZ-formative trademarks such as THE RITZ HOTEL, RITZ PARIS, HOTEL RITZ, RITZ ESCOFFIER, etc.

32.5. Plaintiff Nos. 1, 2 and 3 are hereinafter collectively referred to as 'Plaintiffs'. The Plaintiffs have secured a number of registrations for the Plaintiffs' 'RITZ' trademarks in India, with Plaintiff No. 1's earliest registration in India dating back to 29.07.1969 for the mark 'RITZ' under registration number 258396. The details of the Plaintiffs' various trademark



registrations in India are provided at paragraph no. '42' of the plaint.

32.6. The commercial success and well-known status as providers of luxury hospitality accommodations of the Plaintiffs' hotels, products and services under the Plaintiffs' RITZ Trademarks is undeniable. Hotels in the Plaintiff No. 2's 'Ritz-Carlton' brand earned total worldwide revenues of over USD 6.050 billion in the year 2024.

32.7. The Plaintiffs' RITZ, RITZ-CARLTON,



, have been declared as well-known marks by the Coordinate Bench of this Court in the judgment dated 29.05.2025 passed in CS(COMM) 8/2025 titled **The Ritz Hotel Limited and Others v. M/s Hotel Ritz.**

About the Defendants

32.8. Defendant No. 1 is believed to be the owner of the hotel – RITZ RIVERIA, engaged in the business of hotel and accommodation related services under the names of 'Ritz Riveria'/'Hotel Ritz Riveria'/'Hotel O by Oyo Ritz Riveria' located in Falta, West Bengal. Defendant No. 2 is the wife of Defendant No. 1.

32.9. In August 2024 the Plaintiffs came across the Defendants' use of the Impugned Marks and came across the website of the Defendants www.ritzriveria.in and subsequently, thereafter, the Plaintiffs issued a cease-and-desist notice to the Defendants on 29.10.2024 asking them to stop using the Impugned Marks.

32.10. The said notice was handed over by the Plaintiffs' investigator to Defendant No. 2 [wife of Defendant No. 1]. At that time it was indicated



that Defendant No. 1 is in jail. Defendant No. 2 stated that they would change the name of the hotel within one [1] month.

32.11. Since, the Defendants continued to use the Impugned Marks, the Plaintiffs sent a follow up notice through courier and post on 21.08.2025 and 23.08.2025, respectively. However, the Defendants are actively offering their services through various third-party platforms, the details of which are provided at paragraph no. '14' of the plaint.

32.12. To further exacerbate the situation, the Defendants also renewed their registration of the Infringing Domain Name www.ritzriveria.in, in September 2025.

32.13. Recently, in December 2025, the Plaintiffs came across new third party listings of the Defendants' hotel, where the Defendants' hotel is now listed as 'HOTEL O BY OYO RITZ RIVERIA'. Upon conducting online enquiries, it was revealed that the Defendants have listed their platform on the portal of the Company-Oyo Rooms.

32.14. It is contended that such an association of the Plaintiffs' 'RITZ Trademarks' with other brands such as Oyo will further lead to dilution and tarnishment of the Plaintiffs' 'RITZ Trademarks' as well as consumer confusion due to this association.

32.15. Aggrieved by the acts of the Defendants in unlawfully capitalizing on the goodwill and reputation associated with the globally recognized and well-known Plaintiffs' 'RITZ' trademarks, the Plaintiffs have filed the present suit along with the interim injunction application.

Analysis and Directions

33. This Court has heard the learned counsel for the Plaintiff and perused the record.



34. As noted above, Defendants have been duly served and have elected to remain absent.

35. The Plaintiffs are the registered proprietor of the ‘RITZ’, ‘RITZ-



CARLTON’, **THE RITZ-CARLTON** **THE RITZ-CARLTON** marks in several classes and this Court in CS(COMM) 8/2022 titled **The Ritz Hotel Limited and Others v. M/s Hotel Ritz and Others** vide judgment dated 29.05.2025 has declared the Plaintiff’s registered trademark – Plaintiffs’ Ritz, Ritz-Carlton,



THE RITZ-CARLTON **THE RITZ-CARLTON** , as a well-known trademark.

36. This Court is of the opinion that the use of the identical mark ‘RITZ’ by Defendant Nos. 1 and 2 for running their business of offering accommodation and restaurant services, prima facie, infringes the Plaintiff’s well-known trademark ‘RITZ’. Further, the domain name www.ritzriveria.in used by the Defendants also uses the Plaintiff’s trademark ‘RITZ’.

37. The act of the Defendants in adopting the Plaintiff’s well-known trademark ‘RITZ’, which is a well-known trademark as well as has tremendous goodwill in the hospitality industry, appears to be deliberate and mischievous, as the consumers may be led to believe that the services offered by the Defendants are being offered in association with the Plaintiffs.

38. A perusal of the averments made in the plaint and documents placed on record shows that the cease-and-desist notice dated 29.10.2024 issued by the Plaintiffs was duly received by the owner [Ms. Monalisha Khan/ Defendant No. 2 herein] and the manager [Mr. Dharamraj Das] of the

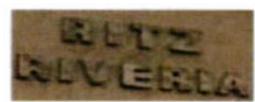


Defendants' Hotel Ritz Riveria. The Plaintiffs have placed on record the copy of the cease-and-desist notice dated 29.10.2024 bearing signatures of the aforesaid persons and the stamp of the Defendants' hotel, namely 'Ritz Riveria'.

Even after knowing that Plaintiffs' are the registered owner of the well-known trademark 'RITZ', the Defendants are continuously using the Impugned Marks for running their hotel, namely, 'Ritz Riveria'.

39. In view of the above, the Plaintiffs have made out a prima facie case for grant of an ad-interim injunction. Balance of convenience lies in favour of the Plaintiffs, and irreparable harm will be caused to the Plaintiffs' reputation and goodwill, if the Defendants are not enjoined from using the Plaintiffs 'RITZ' trademark.

40. Accordingly, until the next date of hearing, the Defendants, their proprietor(s), subsidiaries, sister concerns, partners, directors, principal officers, servants, agents, affiliates, distributors, and all others acting for and on its behalf are hereby restrained from using the Impugned Marks – 'RITZ RIVERIA', 'HOTEL RITZ RIVERIA', 'HOTEL O BY OYO RITZ

RIVERIA', 'RITZ',   and variants thereof including the website www.ritzriveria.in and the email address ritzriveria@gmail.com and/or any other mark, logo or label and/or domain name and/or email address, which is identical or deceptively similar to the Plaintiffs' 'RITZ' and/or 'RITZ-CARLTON' trademarks in any manner.

41. Issue notice to all the Defendants through all permissible modes.

42. Let the notice state that the reply to the application be filed by the defendants within four [4] weeks from the date of receipt of this order.



43. Rejoinder, if any, be filed within three [3] weeks thereafter.
44. Compliance of Order XXXIX Rule 3 of CPC be done within a period of one [1] week from today. Affidavit of service be filed within two [2] weeks.
45. List before the learned Joint Registrar (J) on **19.02.2026**.
46. List before Court on **22.05.2026**.
47. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

DECEMBER 24, 2025/msh/MG