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

+ **CS(COMM) 48/2026**

ILLINOIS TOOL WORKS INC.

.....Plaintiff

Through: Mr. Vaibhav Vutts, Ms. Aamna Hasan,
Ms. Anupriya Shyam, Ms. Aarya
Deshmukh and Ms. Vaibavi, SG,
Advocates.

versus

R.K. GUPTA AND BROS. & ORS.

.....Defendants

Through: Ms. Aparna Jain, Advocate for D-1.
Ms. Srishti Dhoundiyal and Ms. Brinda
Nagaraja, Advocates for D-2.
Mr. Kuber Mahajan and Ms. Shilpa
Gupta, Advocates for D-3.
Mr. Naman Joshi, Ms. Priya Goyal and
Ms. Aakriti Gupta, Advocates for D-4.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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20.01.2026

I.A. 1435/2026 (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. Keerthi*, (2024) **5 SCC 815**, exemption from the requirement of Pre-Institution Mediation is granted.
3. The Application stands disposed of.



I.A. 1436/2026 (Exemption from filing original/ certified typed translated from vernacular and illegible copies of the documents)

4. This is an application filed on behalf of the plaintiff under Section 151 of the CPC seeking exemption from filing original/ certified typed translated from vernacular and illegible copies of the documents.

5. For the reasons stated therein, exemption is allowed, subject to all just exceptions.

6. The clear, original, certified, typed, translated and legible copies of the documents, be filed within four weeks.

7. The application stands disposed of.

I.A. 1437/2026 (Additional Documents)

8. 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.

9. As prayed, the plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018 within thirty (30) days.

10. Accordingly, the application stands disposed of.

I.A. 1438/2026 (Exemption from filing clear copies, copies with appropriate margins, certified copies, English translated copies of documents along with supporting documents)

11. This is an application filed on behalf of the plaintiff under Section 151 of the Code of Civil Procedure, 1908 (“CPC”) seeking exemption from filing clear copies, copies with appropriate margins, certified copies, English translated copies of documents alongwith supporting documents.

12. For the reasons stated therein, exemption is allowed, subject to all just exceptions.



13. The clear, original, certified, typed, translated and legible copies of the documents, be filed within four weeks.

14. The application stands disposed of.

I.A. 1439/2026 (Urgent Listing)

15. This is an application filed under Section 151 of the Code of Civil Procedure, 1908 on behalf of plaintiff seeking urgent listing alongwith supporting affidavit.

16. For the reason stated therein, the application is allowed and stands disposed of.

CS(COMM) 48/2026 & I.A. 1434/2026 (Stay)

17. Ms. Aparna Jain, learned counsel appearing for the defendant no.1 on advance notice submits, under instructions, that the defendant no.1 has stopped all online sales through all e-commerce platforms and has expressed a desire to mediate the dispute.

18. At this stage, the matter is passed over to enable the learned counsel for the defendant no.1 to complete her instructions.

TUSHAR RAO GEDELA, J

At 2:30 pm

1. At this stage, learned counsel appearing for defendant no.1, on instructions, submits that the defendant has taken down all the infringing goods from the e-commerce platforms and has also assured of refraining from selling any of the products under the infringing trademark.

2. She also states that defendant is willing to settle the disputes with the plaintiff. Learned counsel for the plaintiff does not have any objection in case such statement is recorded and the parties are sent to Mediation Centre for settlement talks.



3. Binding the defendant to the statement rendered by learned counsel for the defendant, the parties are directed to appear before Delhi High Court Mediation and Conciliation Centre on 22.01.2026 at 3:30 pm. The Organizing Secretary is requested to nominate a senior mediator well versed in the subject matter for the purpose of mediation.

4. Learned counsel for the defendant further submits that they will inform defendant nos. 2 and 3 and any other e-commerce platform to take down the listings, if any. The plaintiffs are also permitted to directly inform defendant nos. 2 to 6 of any unauthorized listings, which may still be showing/listed on the said platforms and the defendant nos.2 to 6 are directed to de-list or take down such listings forthwith upon such information being conveyed to them either by the plaintiff or the defendant no.1.

5. The defendants have furnished their e-mail addresses where the plaintiff can intimate them about the unauthorized listings. The same are reproduced hereunder:-

Defendant no.2

s.dhoundiyal@saikrishnaassociates.com

Brinda@saikrishnaassociates.com

Defendant no.3

kuber@saikrishnaassociates.com

shilpa@saikrishnaassociates.com

Defendant no.4

priya@njlaw.in

6. List on 05.05.2026.

TUSHAR RAO GEDELA, J

JANUARY 20, 2026

Sumit/Aj