

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Other Original Suit No. 1/2026

M/s. Prem Applicances,

-----Petitioner

Versus

M/s. Novamax Industries Llp,

-----Respondent

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For Petitioner(s) : Mr. Rishabh Bansal

For Respondent(s) :

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**HON'BLE MR. JUSTICE SAMEER JAIN**

**Order**

**24/04/2026**

Being aggrieved of the order dated 25.03.2026, passed in Civil Suit No.1/2021, it is submitted by the learned counsel for the petitioner that the underlying civil suit was instituted seeking relief against groundless threats of legal proceedings as per the provisions enshrined under Section 23 of the Designs Act, 2000, read with Section 106 of the Patents Act, 1970.

By way of the present petition, a challenge has been put to the jurisdiction exercised by the learned Trial Court in passing the impugned order. It is submitted that the learned Civil Court has misconstrued the statutory framework by holding the suit to be not maintainable before it and further directed the transfer of the matter to the High Court.

Learned counsel submits that the present *lis* pertains to a suit for injunction and declaratory relief against groundless threats as per the provisions enshrined under Section 23 of the Designs Act, and that the same does not pertain to a suit for piracy or infringement as enshrined under Section 22 of the said Act.

Heard the preliminary submissions advanced by the learned counsel.

Issue notices to the respondents.

In addition to the regular mode of service, '*dasti*' service is permitted.

List the matter on 11.05.2026.

(SAMEER JAIN),J

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