



\$~39

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

+ **CS(COMM) 660/2026, I.A. 15999-16001/2026 & I.A. 16003/2026**

**MICROTEK INTERNATIONAL PRIVATE LIMITED.....Plaintiff**

Through: Mr. Sandeep Sethi, Sr. Advocate with  
Mr. J.V. Abhay, Ms. Aishwarya  
Mukherjee, Mr. Krisna Gambhir and  
Ms. Shreya Sethi, Advocates

versus

**SUKHVEER SINGH & ORS. ....Respondents**

Through: Mr. Counsel for Defendants No. 7 to  
11 (*Appearance not given*)

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

% **10.06.2026**

**I.A. 16002/2026**

1. Allowed, subject to all just exceptions.
2. The Application stands disposed of.

**CS(COMM) 660/2026, I.A. 15999-16001/2026 & I.A. 16003/2026**

3. Suit for permanent injunction against infringement of trade mark, disparagement, defamation, acts of unfair competition, rendition of account of profits and damages, etc., has been filed on behalf of the Plaintiff with the following prayers:-


a. *“Pass and pronounce a decree of permanent/perpetual injunction against infringement of the Plaintiff’s registered trade marks restraining the Defendants, their proprietors, partners, directors, promoters, shareholders, officers, managers, assigns, successors-in-interest, subsidiary/ associate licensees, companies,*



*sister franchisees, concerns, representatives, servants, distributors, agents, family members, employees, etc. and/or any person or entity acting for them in any manner whatsoever in respect of inverters, batteries, solar panels or any other goods/services whether as part of advertisements, WhatsApp communications, Facebook posts, written remarks or messages, or otherwise;*

- b. Pass and pronounce a decree of permanent/perpetual injunction against the Defendants, their proprietors, partners, directors, promoters, shareholders, officers, managers, assigns, successors-in-interest, subsidiary/associate licensees, companies, sister franchisees, concerns, representatives, servants, distributors, agents, family members, employees, etc. and/or any person or entity acting for them in any manner whatsoever, and restraining them from circulating, publishing disparaging and defamatory statements/remarks/advertisements, by way of any mode, including electronic and social media (including WhatsApp and Facebook), to the Plaintiff's customers, dealers, distributors, business associates et al and to delete/ withdraw such statements/remarks/advertisements already made;*
- c. Pass and pronounce a decree directing the Defendants and/or their proprietors, partners, directors, representatives, officers, etc. to deliver up to the Plaintiff for destruction the infringing, defamatory and disparaging advertisement materials including pamphlets, billboards, written messages, reprographic material, or any other material used for advertising, selling or marketing of the Defendants' business/products;*
- d. Pass appropriate directions to the Defendants to issue a public apology in two leading newspapers in India;*



- e. *Pass and pronounce a final money decree in favour of the Plaintiff for payment of damages in the sum of INR 2,00, 10,000/- or any such higher sum as may be determined/ascertained pursuant to the rendition of accounts;*
- f. *Pass and pronounce an order for costs of the proceedings; and*
- g. *Pass and pronounce any further or other order or directions as this Hon'ble Court may deem fit or appropriate in the facts and circumstances of the case in favour of the Plaintiff and against the Defendants."*
4. It is submitted in the plaint that the Plaintiff is aggrieved on account of the acts of unfair competition, disparagement, defamation and infringement of its registered and well-known trademarks  and Microtek, by the Defendants through circulation of false, misleading, defamatory and disparaging advertisements on social media and electronic media, such as, WhatsApp and Facebook on and from May 14, 2026.
5. Until November, 2024, Defendant No. 7-Saurabh Gupta and Defendant No. 8-Arush Gupta, were directors of the Plaintiff. Further, members of the Gupta family, who are Promoters of Defendant No. 11, are also 50% shareholders of the Plaintiff while the remaining 50% shares of the Plaintiff are held by the Aggarwal family and several members of the Gupta family had been part of the management of the Plaintiff.
6. The Plaintiff submits that CS (COMM) 471/2026 (Design Suit) had been filed against M/s HR Mould and Pilot Industries Limited whereby this Court *vide* Order dated 04.05.2026 (OPPL Order), had restrained the Defendants from manufacturing, selling, offering for sale, importing,



exporting, advertising or in any manner dealing with the articles which are identical/obvious or fraudulent imitation of Defendant No. 11's registered design.

7. The Plaintiff stated that Defendant No. 11 has misused the OPPL Order to launch a defamatory campaign with other Defendants targeting the well-known trademarks of the Plaintiff. The advertisements are grossly false for the following reasons:

- (a) falsely claims that 10,000 Microtek batteries were seized by order of this Hon'ble Court, when only approximately 1,200 batteries of various brands were seized;
- (b) falsely alleging that the Plaintiff's batteries are of low/inferior quality;
- (c) falsely implying that the Design Suit was filed against the Plaintiff/Microtek, when the Plaintiff is not a party thereto; and
- (d) falsely stating that a hearing was listed on Monday, May 18, 2026, when the matter is next listed on August 6, 2026 and October 15, 2026.

8. The impugned advertisement also prominently reproduced the well-know trademark of the Plaintiff. Therefore, the Suit has been filed and an interim prayer has been made that the Defendants be directed to take down any such misleading advertisement forthwith, specifically, the screenshots evidencing the impugned WhatsApp and Facebook publications by Defendant Nos. 1 to 6.

9. Learned Counsel for the Defendants No. 7 to 11, who have appeared on advance Notice, submits that they have nothing to do with any advertisement as has been stated in the plaint.



10. It is further submitted that the Defendant No. 2-Vikas Hooda, Defendant No. 4-Prakash Mishra and Defendant No. 5-Ashish Kumar, had received this forwarded advertisement forwarding and they had only put them in their display status, but the display status gets removed after 24 hours. In any case, the Defendants No. 7 to 11 distanced themselves from any of the acts of the Defendants and states that Defendants No. 2, 4, 5 have already been reprimanded.

11. The Defendants No. 7 to 11 further state that neither have they published any of these misleading and factually incorrect advertisements and they also undertake that they would not do this in future.

**Submissions heard.**

12. Considering the submissions made, the Defendants No. 1 to 6 are hereby restrained from displaying the Advertisement, as stated hereunder:-

| <b>Defendant No.</b> | <b>Name</b>  | <b>Corresponding Documents in Paperbook</b>          |
|----------------------|--|--|
| Defendant No. 1      | <b>Sukhveer Singh</b><br>(Authorised Dealer of Okaya)    | PDF pages 200, 213, 226;<br>Printed pages 16, 29, 42 |
| Defendant No. 2      | <b>Vikas Hooda</b> Okaya<br>ABM, Haryana                 | PDF pages 196, 211;<br>Printed pages 12, 27          |
| Defendant No. 3      | <b>Bhusham Gindodiya</b><br>(Distributor of Okaya)       | PDF pages 201;<br>Printed pages 17                   |
| Defendant No. 4      | <b>Prakash Mishra</b><br>(Okaya Branch Head, Eastern UP) | PDF pages 222, 223;<br>Printed pages 38, 39          |
| Defendant No. 5      | <b>Ashish Kumar</b><br>(TSM, Okaya Power                 | PDF pages 224;                                       |



|                 |   |                                    |
|-----------------|---|------------------------------------|
|                 | Private Limited)  | Printed pages 40                   |
| Defendant No. 6 | <b>Vijay Singhal</b> (Urja Sales, Distributor of Okaya) | PDF pages 204;<br>Printed pages 20 |

13. The Defendants No. 1 to 6 shall also remove/take down any of this advertisement within 24 hours and also restrained from putting such material from putting such material on display in future forthwith.
14. Notice be issued to Defendants No. 1 to 6 on filing PF, through ordinary and electronic modes, returnable before the learned JR on 16.07.2026 for completion of service and pleadings.
15. Written Statement be filed by Defendants No. 7 to 11 within 30 days.
16. This Order be served upon the Defendants No. 1 to 6 within 48 hours.

**NEENA BANSAL KRISHNA  
(VACATION JUDGE)**

**JUNE 10, 2026**

*N*