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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(COMM) 689/2026

GEETANJALI SALON PRIVATE LIMITED .....Plaintiff

Through: Mr. Pravin Anand, Mr. Manish Biala,  
Mr. Devesh Ratan and Ms. Niyati  
Madan, Advocates.

versus

MS. AMITA DUBEY & ORS. ....Defendants

Through:

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

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**03.07.2026**

**I.A. 16701/2026**

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

**I.A. 16700/2026**

By way of the present application filed under section 12A of Commercial Courts Act, 2015 read with section 151 of the Code of Civil Procedure 1908 ('CPC'), the plaintiff seeks exemption from attempting pre-litigation mediation.

2. Having regard to the facts and circumstances of the present case, and in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi*<sup>1</sup> and of a Division Bench of this court in *Chandra*

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<sup>1</sup> (2024) 5 SCC 815



*Kishore Chaurasia vs. R A Perfumery Works (P) Ltd.*<sup>2</sup>, the plaintiff is exempted from attempting pre-litigation mediation.

3. The application stands disposed-of.

**I.A. 16699/2026**

4. By way of the present application filed under Order XI Rule 1(4) of the CPC (as amended by the Commercial Courts Act, 2015) read with section 151 of the CPC, the plaintiff seeks leave to file additional documents.

5. For the reasons stated in the application, which is duly supported by affidavit, the application is allowed.

6. Application stands disposed-of.

**CS(COMM) 689/2026**

7. By way of the present plaint the plaintiff *inter-alia* seeks permanent injunction restraining the infringement of trade marks, passing off, unfair trade practice, declaration, damages, rendition of accounts, delivery up, and recovery of money.

8. Upon a *prima-facie* conspectus of the matter, let the plaint be registered as a suit.

9. Issue summons in the suit.

10. Upon the plaintiff taking requisite steps within 10 days, let summons be sent to the defendants by all permissible modes, returnable for the next date before the learned Joint Registrar.

11. Let the summons indicate that the defendants are required to file written statement to the plaint within 30 days from the date of receipt

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<sup>2</sup> 2022 SCC OnLine Del 3529

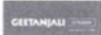



of summons, alongwith affidavit of admission/denial of the documents filed by the plaintiff. The plaintiff may file replication to the written statement within 30 days thereafter, alongwith affidavit of admission/denial of the documents filed by defendants.

12. List before the learned Joint Registrar for completion of pleadings, for admission/denial of documents and marking of exhibits on 29<sup>th</sup> September 2026.
13. List before court thereafter.

**I.A. 16698/2026**

14. By way of the present application filed under Order XXXIX Rules 1 & 2, read with section 151 of the CPC, the plaintiff seeks the following reliefs:

- i. An *ex parte* order for interim injunction restraining the Defendants and all persons acting for or on their behalf, from using the Plaintiff's trade marks GEETANJALI and , or any other mark deceptively similar or identical thereto, in any manner whatsoever, amounting to infringement of Plaintiff's registered trademarks under trade mark application nos. 5925505, 5925509 and 3407748, till the pendency of the present suit;
- ii. An *ex parte* order for ad interim injunction restraining the Defendants and all persons acting for or on their behalf, from using the Plaintiff's trade marks GEETANJALI / GEETANJALI STUDIO /  or any other mark deceptively similar or identical thereto, in any manner whatsoever, amounting to passing off the Defendants' services as those of the Plaintiff, till the pendency of the present suit;
- iii. Any such further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.



15. The plaintiff company states that it is known for its premium hair styling and make-up services and operates numerous salons and franchises across India under the trade marks “GEETANJALI”, “GEETANJALI STUDIO” and “GEETANJALI SALON”.
16. It is averred that the trade mark and trade name “GEETANJALI” have been used continuously since the plaintiff’s business began; and over time, the plaintiff has expanded to more than 140 salons/franchises across India and its reputation has grown manifold, with turnover rising from Rs. 1.94 crores in FY 2009-10 to over Rs. 190 crores in FY 2024-25. The total sales figures for recent years, as stated to be certified by a Chartered Accountant, have been set-out in para 11 of the plaint.
17. It is further claimed that the plaintiff has spent substantial sums of money on advertising and promotion of their services under the aforementioned trade marks, with business promotion, sales promotion and advertisement expenses for FY 2024-25 being about Rs. 1.96 crores. The plaintiff is claimed to have received awards including the L’Oreal Colour Trophy Award 2024, Viewer’s Choice Award (2023-24), and Best Salon Chain at the L’Oreal Professional Indian Hairdressing Award (North) 2018-19.
18. It is also averred in the plaint that the plaintiff promotes its products through Instagram on the handles [www.instagram.com/geetanjalistudioofficial](https://www.instagram.com/geetanjalistudioofficial) and [www.instagram.com/geetanjalisalon](https://www.instagram.com/geetanjalisalon), and does not permit any franchisee to promote its services through separate social media



accounts or websites, in order to safeguard its intellectual property rights.

19. The plaintiff claims that its trade marks enjoy tremendous reputation and goodwill among consumers and in trade circles in India, and that their trade marks have acquired secondary significance as indicators of the origin of its services, and that the GEETANJALI trade mark has become “well-known” as understood under the Trade Marks Act, 1999.
20. The plaintiff further states it has been extremely vigilant in protecting its statutory and proprietary rights in these trade marks in India and has taken immediate legal action against violations. It is averred that in multiple proceedings filed by them, this court has granted to the plaintiff protection against infringement of its intellectual property rights *inter-alia* in CS(COMM) 462/2021, 539/2021, 56/2024, 233/2024, 1092/2025, 26/2026 and 86/2026 through various orders. Copies of some of the orders have been filed in the present proceedings.
21. The plaintiff alleges that defendants Nos. 1 to 4 approached the plaintiff to associate with the “GEETANJALI” brand and to open a “GEETANJALI STUDIO” franchise in Dhanbad, Jharkhand; pursuant to which a Franchise Agreement dated 03.07.2024 was executed at New Delhi between the plaintiff and defendant No. 5, represented by defendants Nos. 1 to 4, permitting the said defendants to operate GEETANJALI STUDIO at Shop No. 01, 1<sup>st</sup> Floor, Pinnacle Building, Saraidhela, Dhanbad–828127, Jharkhand. Under and in relation to the franchise so granted, the plaintiff licensed to the



defendants the GEETANJALI trade marks for use on a non-exclusive basis for running the salon upon payment of Continuing Franchise Fee ('CFF').

22. The plaintiff alleges that the defendants defaulted in payment of CFF and other charges, leading to the plaintiff issuing a Default Cure Notice dated 19.02.2026 to the defendants. Since the defendants failed to comply with the default cure notice and continued to use the GEETANJALI trade mark, the plaintiff was constrained to issue to the defendants a Lawyer's Notice dated 21.04.2026 terminating Franchise Agreement dated 03.07.2024 and calling upon the defendants to shut down "Geetanjali Studio" and to cease using the GEETANJALI trade mark on any product, invoice, stationery, hoarding, board or other material.
23. The plaintiff alleges that despite Lawyer's Notice dated 21.04.2026, the defendants did not pay the overdue franchise fees and that Rs. 10,32,500/- remains outstanding for the period January 2025 to May 2026.
24. It is claimed that the defendants have also not stopped using the plaintiff's trade marks and continue to run the salon in Dhanbad, thereby infringing the trade marks and passing off their services as those of the plaintiff. It is submitted that the plaintiff's representative has confirmed that the salon is being run as GEETANJALI STUDIO, and photographs of the salon exterior are attached in para 29 of the plaint. The plaintiff submits that its representative even availed services at the defendants' premises on 02.06.2026 and it transpires



that the defendants are still issuing invoices using the plaintiff's trade marks and continue to describe themselves as the plaintiff's franchisee. A copy of an invoice stated to have been issued by the defendants has also been filed along with the plaintiff's documents.

25. The plaintiff claims that the defendants' *mala fides* are evident, since they have neither cleared pending dues nor stopped using the plaintiff's trade marks; and are running the salon as GEETANJALI STUDIO using the trade marks GEETANJALI/GEETANJALI STUDIO till date without authorization, thereby infringing the plaintiff's registered trade marks under applications Nos. 3407748, 5925505 and 5925509 for GEETANJALI, and passing off their services as the plaintiff's, misrepresenting that they have a continuing commercial connection with the plaintiff; and necessitating an *ex-parte ad-interim* injunction.
26. Issue notice.
27. Upon the plaintiff taking steps within 10 days, let notice be sent to the defendants by all permissible modes, returnable for the next date before the learned Joint Registrar.
28. Let the notice indicate that reply to the application be filed within 30 days of service; rejoinder thereto, if any, be filed within 30 days thereafter; with copies to the opposing counsel.
29. Having heard learned counsel for the plaintiff and after examining the plaint and the documents filed therewith, on first blush it appears, that despite termination of the franchisee agreement by the plaintiff, the defendants are continuing to run their salon in Dhanbad using the



plaintiff's trademarks, and are thereby earning revenue based on the plaintiff's goodwill and reputation. It appears that the parties are in the same or identical trade and business, with a common or identical consumer base; and therefore the likelihood of deception or confusion between their services is likely. It would also appear that an unwary consumer of average intelligence is likely to believe that the services provided by the defendants are being rendered on behalf of the plaintiff, which may likely harm the plaintiff's goodwill and reputation.

30. From the record, it also appears that the trademarks GEETANJALI/GEETANJALI STUDIO are registered in India and have been in use for long, which would lead to the inference that *prima-facie* the defendants are infringing those trademarks.
31. In the circumstances this court is of the view that the plaintiff has succeeded in making out a *prima-facie* case in its favour for issuance of a restraint order against the defendants; the balance of convenience also appears to lie in favour of the plaintiff and against the defendants; and irreparable harm and injury may result if the interim order prayed for is not granted.
32. In view of the averments contained in the application; considering the nature of the claim in the suit; and on a *prima-facie* appreciation of the matter, it is directed that the defendants and all persons acting for or on their behalf are restrained from using the plaintiff's trade marks "GEETANJALI"/"GEETANJALI STUDIO", or any other identical or deceptively similar mark, in any manner amounting to infringement of the registered trade marks under applications Nos. 5925505,



5925509 and 3407748. The defendants and all persons acting for or on their behalf are also restrained from using “GEETANJALI”/ “GEETANJALI STUDIO”, or any other identical or deceptively similar mark, in any manner amounting to passing-off of the defendants’ services as those of the plaintiff, till the next date of hearing.

33. Plaintiffs are directed to comply with the provision of Order XXXIX Rule 3 CPC, within 01 week.
34. List before the learned Joint Registrar for completion of pleadings in this application on 29<sup>th</sup> September 2026.
35. List before court after completion of pleadings in this application.

**ANUP JAIRAM BHAMBHANI, J**

**JULY 3, 2026/ak**