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

CNR No. DLHC010362972026

+ **CS(COMM) 856/2026**

RAKESH JAIN

.....Plaintiff

Through: Ms. Vibhuti Vasisth and Mr. Kiratraj
Sadana, Advocates.

versus

GA SE GAANV ESSENCE LLP

.....Defendant

Through:

CORAM:

HON'BLE MR. JUSTICE A. J. BHAMBHANI

ORDER

% **10.08.2026**

I.A. 21310/2026 (exemption from pre-litigation mediation)

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*¹ and of a Division Bench of this court in *Chandra Kishore Chaurasia vs. R A Perfumery Works (P) Ltd.*², the plaintiff is exempted from attempting pre-litigation mediation.
3. The application stands disposed-of.

¹ (2024) 5 SCC 815

² 2022 SCC OnLine Del 3529



I.A. 21311/2026 (seeking leave to file additional documents)

4. By way of the present application filed under Order XI Rule 1(4) (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. Let the additional documents be filed within 30 days.
7. The relevance and admissibility of the documents so filed will be considered subsequently.
8. The application stands disposed-of.

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9. Let the plaint be registered as a suit.
10. Issue summons in the suit.
11. Upon the plaintiff taking requisite steps within 10 days, let summons be sent to the defendant by all permissible modes, returnable for the next date before the learned Joint Registrar.
12. Let the summons indicate that the defendant is required to file written statement to the plaint within 30 days from the date of receipt 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 defendant.
13. List before the learned Joint Registrar for completion of pleadings, for admission/denial of documents and marking of exhibits on 03rd November 2026.
14. List before court thereafter.



I.A. 21309/2026 (stay)

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

“A. Grant an ad-interim ex parte order of injunction restraining the Defendant, its proprietors, partners, directors, officers, servants, agents, distributors, and all others acting for and on its behalf, from manufacturing, selling, offering for sale, advertising, or otherwise dealing in rice or any allied goods bearing the trademark “RANI SAHIBA” or any mark identical or deceptively similar to the Plaintiff’s registered trademark, during the pendency of the present suit;

B. Grant an ad-interim ex parte order of injunction restraining the Defendant, its proprietors, partners, designated partners, officers, servants, agents and all others acting on its behalf, from in any manner passing off, or enabling or assisting others to pass off, the Defendant’s goods as that of the Plaintiff’s by the use of the mark “RANI SAHIBA” or any deceptively similar mark;

C. Grant an ad-interim ex parte order of injunction directing the Defendant to take down and remove the infringing listing(s), including the Amazon listing at <https://www.amazon.in/GA-SE-GAANV-Premium-Aromatic/dp/B0FH2TZ23T>, and all other online listings, WhatsApp catalogues and references bearing the mark “RANI SAHIBA”;”

16. Ms. Vibhuti Vasisth, learned counsel for the plaintiff submits that the word “RANI SAHIBA” is duly registered as a word mark *vidé* certificate dated 01.04.2012; and that *vidé* order dated 26.11.2025 the Examiner of trade marks has also confirmed that the plaintiff has been in continuous use of the word mark “RANI SAHIBA” since 01.04.2012 with no cited mark conflict and no likelihood of confusion in Class 30 goods.

17. Ms. Vasisth has also drawn attention to the fact that as narrated in the plaint, the plaintiff’s sale of basmati rice has almost doubled between



2020-2021 and 2025-2026; and that since April 2024 alone the plaintiff has incurred expenditure exceeding Rs. 19 lacs towards promotional and marketing initiatives.

18. Learned counsel submits that, on the other hand, while selling rice under its house brand “GA SE GAANV” the defendant has dishonestly appropriated the plaintiff’s mark “RANI SAHIBA” in relation to its product. It is submitted that the phrase “RANI SAHIBA” is not an attribute, characteristic or feature of basmati rice and therefore there is no legitimate reason for the defendant to use that word mark.
19. Accordingly, Ms. Vasisth prays for relief of *ex-parte ad-interim* injunction.
20. Issue notice.
21. Upon the plaintiff taking steps within 10 days, let notice be sent to the defendant by all permissible modes, returnable for the next date before the learned Joint Registrar.
22. 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.
23. Based on a preliminary appreciation of the matter, this court is of the view that the plaintiff has succeeded in making-out a *prima-facie* case in its favour; that the balance of convenience also lies in favour of the plaintiff and against the defendants; and it would appear that irreparable loss and injury would be caused to the plaintiff if the interim injunction as prayed-for is not granted.



24. Accordingly, an *ex-parte ad-interim* order of injunction is passed in favour of the plaintiff and against the defendants in terms of *prayer A, B and C* as extracted above, till the next date of hearing.
25. Plaintiff is directed to comply with the provision of Order XXXIX Rule 3 CPC within 10 days.
26. List before the learned Joint Registrar for completion of pleadings in this application on 03rd November 2026.
27. List before court after completion of pleadings in this application.

A. J. BHAMBHANI, J

AUGUST 10, 2026/hb