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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment Reserved on: 30.07.2026

Judgment delivered on: 20.08.2026

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CNR No: DLHC010296852026

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**FAO (COMM) 182/2026 CM APPL. 43491/2026 CM APPL.
43489/2026****HAHNEMANN SCIENTIFIC LABORATORY
INDIA PVT. LTD.**

..... Appellant

versus

**MEERA RASTOGI TRADING AS HAHNEMANN MEMORIAL
LABORATORY**

.....Respondent

Advocates who appeared in this case

For the Appellant

:

Mr. Shravan Kumar Bansal, Mr. Rishi Bansal, Mr. Vibhor Sethi and Mr. Sarthak Sharma, Advs.

For the Respondent

:

Mr. Kunal Khanna, Mr. Kaulik Mitra, Mr. Samanyu Bhatnagar, Mr. Rishabh Gupta, Mr. Anuj Dhar and Ms. Priyanshi Gupta, Advs.

CORAM:**HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****JUDGMENT****MANMEET PRITAM SINGH ARORA, J.**

1. This is an appeal filed under Section 13 of the Commercial Courts



Act, 2015 [‘Act of 2015’], Order XLIII Rule 1(r) of the Code of Civil Procedure, 1908 [‘CPC’], read with Section 151 CPC assailing the order dated 19.01.2026 [‘impugned order’] passed by learned District Judge [Commercial Court]-01, Patiala House Court, New Delhi [‘Trial Court’] in CS(COMM) 566/2024.

FACTUAL MATRIX AS SET OUT IN THE APPEAL:

2. The Appellant, i.e., Hahnemann Scientific Laboratory India Pvt. Ltd. is engaged in the business of manufacturing, marketing, and sale of homoeopathic medicines and preparations.

3. In the year 1971, the Appellant, through its group concern, namely M/s Hahnemann Scientific Laboratory (India), bona fide adopted and started using the trademark HASLAB’S DIGESTO [‘Appellant’s mark’] in the course of trade. It filed a trademark application number 456926 dated 15.07.1986 in Class 5 for the trademark HASLAB’S DIGESTO [wordmark] claiming user since 01.04.1971, which was granted registration. However, the registration has expired on 15.07.1993 and was not renewed.

4. The Respondent, i.e., Meera Rastogi trading as Hahnemann Memorial Laboratory, is also engaged in the manufacture, distribution and sale of homoeopathic medicines. The Respondent uses the mark in a device/label



form , and it has applied for registration of the said device/label *vide* TM No. 6549425 dated 29.07.2024, which is pending



registration.

5. It is stated that, upon learning of the Respondent's adoption and use of the mark DIGESTO in its trademark DIGESTO PLUS ['impugned mark'] in relation to its goods and business in May 2024, the Appellant instituted the underlying suit.

6. The learned Trial Court *vide* order dated 12.06.2024 granted an ex-parte ad-interim injunction in favour of the Appellant and appointed a Local Commissioner. Thereafter, the Respondent entered appearance and filed its written statement.

7. Subsequently, the learned Trial Court, after hearing the application under Order XXXIX Rules 1 and 2 CPC, *vide* impugned order dated 19.01.2026, set aside the ex-parte ad-interim injunction granted on 12.06.2024, whilst returning a finding that the Appellant had failed to establish misrepresentation or likelihood of deception on the part of the Respondent.

8. It is a matter of record that the statutory period for filing the appeal expired on 20.03.2026. The appeal has been filed with a delay of 76 days. The Appellant stated that the appeal has been filed challenging the impugned order due to a subsequent event, i.e., the grant of fresh registration on 26.03.2026 of its trademark HASLAB'S DIGESTO *vide* TM No. 5887111 in Class 5 dated 11.04.2023, claiming use since 01.04.1971.

9. Thereafter, the Appellant on 15.04.2026 filed an application under Order VI Rule 17 CPC, in the underlying suit seeking to amend the plaint to bring on record the registration of its trademark HASLAB'S DIGESTO *vide*



TM No. 5887111. The said application was allowed by the learned Trial Court *vide* order dated 07.05.2026. Simultaneously, the Respondent has filed a rectification petition on 23.04.2026 challenging the said trademark registration before the Registrar of Trade Marks.

10. In these facts, the Appellant has instituted the present appeal.

SUBMISSIONS BY THE APPELLANT

11. Mr. Shravan Kumar Bansal, learned counsel for the Appellant, stated that the learned Trial Court failed to appreciate that the Appellant is the prior adopter and user of the trademark HASLAB'S DIGESTO since 1971.

11.1. He stated that the learned Trial Court erred by holding that the Appellant failed to provide any documentary evidence regarding its continuous use of the mark from 1981 to 2007.

11.2. He stated that the non-renewed trademark registration of the Appellant being TM No. 456926, at the very least, proves its adoption of the mark DIGESTO from 01.04.1971 or 15.07.1986. It was submitted that the various documents produced by the Respondent are subsequent to the year of adoption of the said mark by the Appellant, and the veracity of the same is questionable.

11.3. He stated that the Respondent's impugned mark DIGESTO PLUS is deceptively similar to the Appellant's mark HASLAB'S DIGESTO. He stated that the learned Trial Court failed to consider the similarity of the rival marks.

11.4. He stated that when the Appellant's mark is seen in respect of the



goods it is being used, it would be ex-facie evident that DIGESTO in no manner can be said to be descriptive in relation to pharmaceutical products. At best, the term is suggestive when used in relation to pharmaceutical products and is fully capable of distinguishing the Appellant's goods from those of others.

11.5. He stated that the learned Trial Court has erroneously relied upon third-party trademark registrations and the trademark search report filed by the Respondent to hold that the mark DIGESTO is *publici juris*. He stated that the learned Trial Court failed to appreciate the settled distinction between marks that are common to the register and common to the trade. He states that mere existence of similar marks on the register or in a search report does not establish actual market use of the marks, and therefore, cannot constitute as a valid defence. He relied upon the search report to state that one of the cited registrations for DIGESTO had expired on 12.03.1953.

11.6. He stated that the rival products cater to the same Class of consumers and are marketed through identical trade channels. He stated that a stricter standard of scrutiny needs to be applied while assessing deceptive similarity in respect of pharmaceutical products. He, therefore, stated that in these facts the present appeal should be allowed and the impugned order should be set aside.

SUBMISSIONS BY THE RESPONDENT

12. Mr. Kunal Khanna, learned counsel for the Respondent, stated that the present appeal is liable to be dismissed as time-barred since an appeal against the order of a Commercial Court is to be filed within 60 days from



the date of the order, i.e., on or before 20.03.2026; however, the present appeal was filed on 21.05.2026. He stated that no justifiable reasons have been given in the application CM No. 43491/2026 for seeking condonation of delay.

12.1. He stated that the underlying suit and the application under Order XXXIX Rules 1 and 2 CPC, as decided by the impugned order, were founded solely on the cause of action of passing off. As on the date of the impugned order, the Appellant had no subsisting trademark registration capable of sustaining an action for infringement, a position correctly recorded by the learned Trial Court. The Appellant cannot, in the present appeal, seek to convert the nature of the dispute by relying upon TM No. 5887111, which was granted registration after the impugned order, and raise, for the first time, a claim of infringement that neither formed part of the pleadings nor fell for consideration before the learned Trial Court.

12.2. He stated that the learned Trial Court had directed the Respondent to produce the originals of the documents produced/relied before the Court, after the Appellant had questioned their authenticity. After inspecting the same, the learned Trial Court in its order dated 09.01.2026 recorded that the documents/bills have been returned to the Respondent as they were in delicate condition. He stated that the learned Trial Court did not, and was not required to, finally prove or conclusively declare the documents genuine; that is a matter for trial. He stated that the documents relied upon by the Respondent show that it adopted the impugned mark DIGESTO PLUS in 1980, and has been continuously using the impugned mark since.

12.3. He stated that a claimed user date of 01.04.1971 stated by the



Appellant in the trademark application does not, by itself, prove actual adoption, continuous commercial use, sales, reputation or goodwill from that date. The date 01.04.1971 is merely a user date claimed in the Appellant's trademark applications Nos. 456926 and 5887111. A claim of user in an application is an assertion, not proof of actual adoption. He stated that the learned Trial Court rightly looked/enquired for contemporaneous documentary proof of use of the mark by the Appellant and found none for the long periods 1981-1993 and 1993-2007.

12.4. He stated that the Appellant cannot claim exclusive rights over the word DIGESTO, having itself secured registration of TM No. 456926 on the express representation that the distinctive feature of its mark was HASLAB'S and having agreed to disclaim the exclusive use of the word DIGESTO.

12.5. He further stated that the learned Trial Court rightly found that DIGESTO is descriptive, weak, and common to the trade. The trademark search report and market use evidence disclosed numerous third-party DIGESTO-formative marks, including registrations pre-dating the Appellant's claimed adoption. The search report disclosing third-party DIGESTO-formative marks in Class 5 is reproduced as under: -

Sl. No.	Mark	Date of Use	Date of Application	Status	Application No.	Proprietor
1.	DIGESTO	-	12/03/1946	Registered	119979	The Modern Chemical Works Ltd.
2.	DIGESTONE	-	06/07/198	Registered	407625	Cheerans Lab Pvt.



			3			Ltd.
3.	DIGESTOVET	-	03/05/1988	Registered	491482	Vets Farma Pvt. Ltd.

He therefore stated that in these facts, the appeal is liable to be dismissed both on the merits and limitation.

COURT'S FINDINGS

13. This Court has heard the learned counsel for the parties and perused the record.

14. The learned Trial Court has returned the following findings while dismissing the Appellant's application under Order XXXIX Rules 1 and 2 CPC:

- I. In view of the fact that the Appellant's registration for its mark HASLAB'S DIGESTO granted *vide* TM No. 456926 lapsed in 1993 and was not renewed, and also its other TM No. 5887111 dated 11.04.2023 for the said mark is under objection; the disputes in the suit have to be examined from the standpoint of 'passing off' and not 'infringement'.
- II. The Appellant has not placed on record any invoices, bills or advertisements to show continuous commercial use of the mark during the period between the year 1981 to 1993, when registration of TM No. 456926 expired and between 1993 to 2007. The Appellant has placed on record sales invoices and orders for its mark for the period 2007 to 2023. The Appellant has also filed Chartered



Accountant-certified sales figures and advertising expenses.

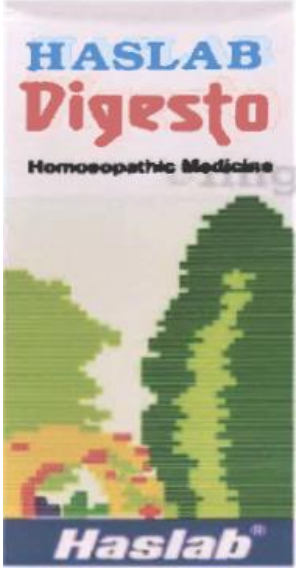
- III. The Respondent has, however, on the other hand, produced documents including price lists and invoices which show that it commenced use of the impugned mark DIGESTO PLUS in 1980. It has produced invoices from 1992 to 1998 and system-generated invoices from 2016 to 2024. The Respondent has also produced the approval issued by the Drugs Controller, Uttar Pradesh, dated 13.08.1980, for DIGESTO PLUS. The said documents were produced by the Respondent in support of its plea of prior use.
- IV. Upon perusal of the documents produced by the parties, the learned Trial Court opined that both the parties have acquired goodwill and reputation in their respective markets.
- V. It also held that prima facie, the documents show Respondent is the prior user and has been continuously using the impugned mark DIGESTO PLUS for a period earlier in time.
- VI. The learned Trial Court noted the submission of the Respondent that there was a prior business relationship between the Appellant and the Respondent, for a considerable period, and the Appellant was aware of the Respondent's use of the expression DIGESTO for its products. This led the learned Trial Court to observe that the pleading in the plaint with respect to the date [i.e. April, 2024] of the knowledge as pleaded by the plaintiff may be false, and these facts, if proved, at trial gives rise to an issue of acquiescence inter se parties.
- VII. The learned Trial Court took note of the documents placed on record



by the Respondent showing extensive use of the word DIGESTO or its formative marks by several traders. The learned Trial Court noted that as per the search report, the word DIGESTO was adopted by a third-party trader in 1946.

- VIII. It held that the material on record, *prima facie*, shows that DIGESTO is descriptive in nature and commonly used in the trade for products relating to digestive preparations. It held that this word is *publici juris* and the said word by itself does not possess a source-identifying character.
- IX. In this view of the matter, the learned Trial Court held that the Appellant cannot claim monopolistic rights over the expression DIGESTO. It held that the Appellant can maintain a claim of exclusivity over the use of the word HASLAB, but it cannot preclude other traders from using the term DIGESTO.
- X. The learned Trial Court also, on a comparison of the rival marks HASLAB'S DIGESTO and DIGESTO PLUS, opined that there is no deceptive similarity; it also opined that the trade-dress of the product are distinct and thus, on an overall impression, found that there was no likelihood of confusion. A comparison table of the products is as under: -



<u>Appellant's/Plaintiff's</u> <u>product</u>	<u>Respondent's/Defendant's</u> <u>product</u>
	

XI. In these facts, the learned Trial Court held in its operative paragraph as under:

“28. In view of the aforesaid discussion, I am of prima facie opinion that the plaintiff has failed to establish any misrepresentation or likelihood of deception on the part of the defendant. The mere presence of a common descriptive word in both marks, without more, is insufficient to sustain an action for passing off, particularly when the competing marks and trade dress, taken as a whole, are distinct and distinguishable. The balance of convenience also does not lie in favour of the plaintiff, especially in light of materials showing the defendant's prior and continuous use of its mark. No irreparable injury is likely to be caused to the plaintiff if the injunction is refused at this stage, **though defendant is much to lose, if not allowed to carry on business with same mark, as being used since years.**”

[Emphasis Supplied]

15. A perusal of the impugned order shows that the learned Trial Court has examined the dispute on the anvil of passing off, as the issue of infringement did not arise for consideration before it. The principles



governing the grant of an interim injunction in an action for passing off are well settled. The plaintiff is required to establish, prima facie, that it has acquired goodwill and reputation in respect of the goods or services offered under its mark; that the defendant's use of the impugned mark or representation amounts to a misrepresentation, which is likely to lead consumers to believe that the goods or services offered by the defendant are those of, or are associated with, the plaintiff; and that such misrepresentation is likely to cause damage to the goodwill and reputation of the plaintiff. These three elements, namely, goodwill, misrepresentation and damage, constitute the well established trinity governing an action for passing off. At the interlocutory stage, the Court is required to prima facie assess these elements on the basis of the materials placed on record and determine whether the plaintiff has made out a prima facie case warranting protection by way of an injunction.

16. The learned Trial Court has, on these three tests, held that the documents on record show that the Respondent has been using the impugned mark at least since 1980 and it has opined that both the Appellant and Respondent have earned goodwill in their respective marks. It has held that the Appellant has failed to establish any misrepresentation or likelihood of deception on the part of the Respondent. On the issue of damages, the learned Trial Court held that since prima facie the Respondent had established prior use of the impugned mark, the balance of convenience was in its favour, as an injunction would stop the Respondent from using the impugned mark, which has been used by the Respondent at least since 1980.

17. The learned Trial Court, on comparison of the trade dress of the rival



marks HASLAB'S DIGESTO and DIGESTO PLUS, opined that there is no similarity in the trade-dresses. It also held that the commonality of the descriptive word DIGESTO in the two marks is not sufficient for holding the two marks deceptively similar.

18. Before we deal with the submissions of the Appellant, we would like to reiterate that the scope of the present appeal under Section 13 of the Act of 2015, read with Order XLIII Rule 1(r) CPC is narrow in terms of the principles set down in the judgment of the Supreme Court in **Wander Ltd. v. Antox India (P) Ltd**¹. The relevant paragraph reads as follows: -

“13. On a consideration of the matter, we are afraid, the appellate bench fell into error on two important propositions. The first is a misdirection in regard to the very scope and nature of the appeals before it and the limitations on the powers of the appellate court to substitute its own discretion in an appeal preferred against a discretionary order. The second pertains to the infirmities in the ratiocination as to the quality of Antox's alleged user of the trademark on which the passing-off action is founded. We shall deal with these two separately.

14. The appeals before the Division Bench were against the exercise of discretion by the Single Judge. In such appeals, the appellate court will not interfere with the exercise of discretion of the court of first instance and substitute its own discretion except where the discretion has been shown to have been exercised arbitrarily, or capriciously or perversely or where the court had ignored the settled principles of law regulating grant or refusal of interlocutory injunctions. An appeal against exercise of discretion is said to be an appeal on principle. Appellate court will not reassess the material and seek to reach a conclusion different from the one reached by the court below if the one reached by that court was reasonably possible on the material. The appellate court would normally not be justified in interfering with the exercise of discretion under appeal solely on the ground that if it had considered the matter at the trial stage it would have come to a

¹ 1990 Supp SCC 727



contrary conclusion. If the discretion has been exercised by the trial court reasonably and in a judicial manner the fact that the appellate court would have taken a different view may not justify interference with the trial court's exercise of discretion. After referring to these principles Gajendragadkar, J. in **Printers (Mysore) Private Ltd. v. Pothan Joseph**²:

“... These principles are well established, but as has been observed by Viscount Simon in **Charles Osenton & Co. v. Jhanaton**³ ‘...the law as to the reversal by a court of appeal of an order made by a judge below in the exercise of his discretion is well established, and any difficulty that arises is due only to the application of well settled principles in an individual case’.

The appellate judgment does not seem to defer to this principle.”

[Emphasis supplied]

19. In its recent decision in **Pernod Ricard India (P) Ltd. v. Karanveer Singh Chhabra**⁴, the Supreme Court has reiterated the aforesaid principles at paragraph ‘19.8’, which reads as under: -

“19.8. In **Wander Ltd.**, this Court elaborated the principles governing the grant or refusal of interim injunctions in trademark infringement and passing off actions. It was underscored that appellate courts ought to be circumspect in interfering with the discretionary orders of lower courts in such matters. Interference is warranted only where the discretion has been exercised arbitrarily, capriciously, perversely, or in disregard of settled legal principles.

[Emphasis supplied]

20. Thus, as summarised by the Co-ordinate Division Bench of this Court in **Sanjay Gupta and Vinay Gupta v. Vineet Jain, Proprietor of Vijaypal Vineet Kumar and Co.**⁵, an appeal against an interlocutory order passed by

² AIR 1960 SC 1156

³ 1942 AC 130

⁴ 2025 SCC OnLine SC 1701

⁵ 2026 SCC OnLine Del 1862



the Commercial Court, the Appellate Court would not substitute its subjective view for the view adopted by the Commercial Court. It is only if the Commercial Court errs on principle that the Court would interfere; otherwise, factual and discretionary evidence and findings of the Commercial Court are ordinarily immune from interference in an appeal.

21. We shall therefore examine both the parties' submissions, keeping these settled principles in mind.

22. The Appellant has contested the finding of the learned Trial Court vis-à-vis the date of its use and contended that the Appellant started using the mark since 01.04.1971 as declared in its first TM No. 456926 dated 15.07.1986. However, the learned Trial Court, after perusing the documents filed on record, returned a finding at paragraph no. 18 of the impugned order that no documentary material has been filed by the Appellant to show continuous commercial use of the mark between 1981 and 2007. The learned Trial Court held that the earliest sales invoice produced by the Appellant is for the year 2007. The Appellant has not drawn our attention to any document which would contradict the aforesaid findings of the learned Trial Court based on documents. We therefore find no ground to interfere with the said findings.

23. The Appellant has contended that the impugned mark DIGESTO PLUS is deceptively similar to its mark HASLAB'S DIGESTO. The Appellant contends that though its product HASLAB'S DIGESTO is a homoeopathic digestive tonic, the word DIGESTO is suggestive and not descriptive. The Appellant has contended that the use of the word DIGESTO by other traders cannot be taken into consideration as the extent of the use of



the mark by other traders is not on record. The Appellant stated that the disclaimer to the word DIGESTO agreed to by the Appellant during the registration of TM No. 456926 dated 15.07.1986 is irrelevant today. The Appellant stated that in its recent TM No. 5887111, the registration has been granted without any limitations or disclaimers.

24. We are unable to agree with the aforesaid submissions of the Appellant for several reasons. The reasons for the Registrar of Trade Marks to seek a disclaimer from the Appellant for the word DIGESTO in the year 1986 while granting registration to TM No. 456926 have not been disclosed by the Appellant. Pertinently, the Appellant did not disclose the said fact in the plaint, nor did it place the prosecution history pertaining to the said registration on record. The circumstances in which the disclaimer came to be imposed, and its effect, would therefore, require examination at trial. The Appellant would have to produce the relevant prosecution history and other supporting documents before the learned Trial Court for consideration at trial. However, the fact that a disclaimer was sought by the Registrar of Trade Marks shows that the said word DIGESTO was considered common to the trade by the Registrar in the year 1986, and in its considered opinion the Registrar did not want the Appellant to claim exclusivity over the said commonly used word.

25. The documents filed by the Respondent also prima facie demonstrate that the word DIGESTO was used by it in the trade even prior to the Appellant's registration. The use of the impugned mark by the Respondent coincides with the timeline when TM application No. 456926 was being considered by the Registrar. The search report filed by the Respondent also



shows that several other entities applied for registration of marks such as DIGESTONE in 1983, DIGESTOVET in 1988 in Class 5. The search report also shows that, in fact, an application for registration of the word DIGESTO was first filed on 12.03.1946 by a company, the Modern Chemical Works Ltd., in Class 5.

26. The contents of the search report for the word DIGESTO produced by the Respondent showing use of the word DIGESTO by third parties since 1946, the disclaimer agreed to by the Appellant in the year 1986, and documents evidencing Respondent's use of the impugned mark DIGESTO PLUS justify the finding of the learned Trial Court that prima facie the word DIGESTO appears to be common the trade in relation to digestive medicines.

27. The learned counsel for the Appellant has contended that these past events are superseded by the grant of registration in its favour for the trademark HASLAB'S DIGESTO *vide* TM No. 5887111 in Class 5. We find no merit in this submission as the registration has been granted for the mark HASLAB'S DIGESTO and not the solitary word DIGESTO. It will be examined at trial as to whether the Registrar was aware of the disclaimer on the word DIGESTO in earlier TM No. 456926 and has consciously not imposed the said disclaimer. It will also be examined at trial as to what are the documents were taken into consideration by the Registrar for accepting the user claim of 01.04.1971.

28. Now coming to the issue of deceptive similarity, it is settled law that, while determining the question of deceptive similarity, the rival marks are required to be considered as a whole, having regard to their overall visual,



phonetic and conceptual impression. In the present case, the learned Trial Court, upon undertaking a comparison of the rival marks, has concluded that they are not deceptively similar and has also found the respective trade-dresses to be dissimilar. We find no infirmity in the approach adopted by the learned Trial Court or in the conclusions arrived at by it on the basis of such comparison.

In view of the principles governing interference by an Appellate Court with the exercise of discretion by the Trial Court, as set out in **Wander Ltd.** (supra), we see no reason to interfere with the said findings.

29. Moreover, the Respondent has prima facie established use of the impugned mark at least since 1980, whereas the Appellant has been unable to place on record any cogent evidence establishing use of its mark since 1971. We have also perused the Chartered Accountant's certificate dated 27.02.2024 and the other material on record, but find nothing therein which prima facie establishes use of the Appellant's mark prior to the Respondent's use of the impugned mark. The finding of the learned Trial Court on the aspects of balance of convenience and irreparable injury also calls for no interference, particularly in view of the prima facie material indicating the Respondent's use of the impugned mark DIGESTO PLUS since 1980. The learned Trial Court has also expressed doubts as to the Appellant's assertion that it became aware of the Respondent's use of the impugned mark only in 2024. The question as to when the Appellant acquired knowledge of such use, and the circumstances surrounding the same, is a matter which would require examination on the basis of evidence at trial. At this stage, therefore, we find no infirmity in the assessment of the learned Trial Court on the balance of convenience and irreparable injury.



30. This brings us to the issue of limitation; the statutory limitation period for preferring the present appeal expired on 20.03.2026. The appeal has been instituted with a delay of 76 days. The sole ground pleaded by the Appellant in CM No. 43491/2026 to explain this delay is the occurrence of a subsequent registration, namely the grant of TM No. 5887111 on 26.03.2026. We are of the considered view that the mere occurrence of a subsequent registration cannot by itself constitute a ‘sufficient cause’ under Article 5 of the Limitation Act, 1963, for condoning the delay in challenging an order which had otherwise attained finality. It is trite law that in commercial cases, condonation of delay is to be granted by way of exception and not by way of a rule [**Re: Government of Maharashtra v. Borse Brother Engineers and Contractors Private Limited**⁶]. Accordingly, the present appeal is bound to be dismissed as being barred by limitation. We make it clear that the subsequent registration, having occurred after the impugned order, cannot be relied upon in the present proceedings to overcome the bar of limitation or to seek reconsideration of the impugned order which had been passed on the anvil of passing off. The effect, if any, of such subsequent registration and its plea in in amended plaint, shall, be considered by the learned Trial Court in the pending proceedings, in accordance with law.

31. Since we are upholding the impugned judgment dated 19.01.2026 passed by the learned Trial Court, and considering that this Court has not delved into the merits of the case, we deem it appropriate not to deal with the judgments relied upon by the Appellant.

⁶ (2021) 6 SCC 460 [Paragraph No. 63]



32. We have been informed that pleadings are complete and the matter is ripe for trial. The learned Trial Court is requested to ensure that trial proceeds in a time-bound manner as per the mandate of the Act of 2015.

33. The appeal is dismissed. Pending applications stand disposed of.

MANMEET PRITAM SINGH ARORA, J

V. KAMESWAR RAO, J

AUGUST 20, 2026/msh/aa