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

CNR No. DLHC010448092026

+ **CS(COMM) 1033/2026**
IMPRESARIO ENTERTAINMENT AND HOSPITALITY PVT
LTDPlaintiff

Through: Ms. Shikha Sachdeva, Ms. Mugdha
Palsule and Ms. Annie Jacob, Advs.

versus

M/S SOCIAL CIRCLE THROUGH ITS PROPRIETOR.....Defendant
Through:

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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21.09.2026

I.A. 26003/2026 (by plaintiff under Order XI Rule 1(4) CPC)

1. The present application has been filed on behalf of the plaintiff under Order XI Rule 1(4) CPC as applicable to the commercial suits under the Commercial Courts Act, 2015 seeking leave to place on record additional documents within a period of 30 days.

2. The plaintiff is permitted to file additional documents as prayed, strictly in accordance with the provisions of the Commercial Courts Act, 2015 [hereinafter, '*Commercial Courts Act*'] and the Delhi High Court (Original Side) Rules, 2018.

3. The application is disposed of.

I.A. 26004/2026 (under Section 151 CPC seeking exemption from filing Original documents)

4. This is an application seeking exemption from filing original documents.



5. Exemption is allowed, subject to all just exceptions.
6. Original documents shall be produced/filed, if sought, strictly as per the provisions of the Commercial Courts Act, the Commercial Division and Commercial Appellate Division of High Courts Act, 2015 and DHC (Original Side) Rules, 2018.
7. Accordingly, the application is disposed of.

I.A. 26006/2026 (by plaintiff under Section 151 CPC seeking permission to file lengthy synopsis and list of dates).

8. Allowed, subject to all just exceptions.
9. The application stands disposed of.

I.A. 26005/2025 (by plaintiff under Section 12A (1) of Commercial Courts Act, 2015)

10. This is an application filed by the plaintiff seeking exemption from instituting pre-institution mediation under Section 12A of the Commercial Courts Act, 2015.
11. As urgent relief has been sought in the present matter, the exemption from requirement of pre-institution mediation is granted.
12. The application stands disposed of.

CS(COMM) 1033/2026

13. The plaint be registered as a suit.
14. On filing of process fee, summons be issued to the defendant by all permissible modes.
15. The summons shall indicate that a written statement must be filed within thirty days from the date of receipt of summons. The defendant shall also file an affidavit of admission/denial of the documents filed by the plaintiff, failing which the written statement shall not be taken on record.



16. The plaintiff is at liberty to file replication thereto within thirty days after filing of the written statement. The replication shall be accompanied by an affidavit of admission/denial in respect of the documents filed by the defendant, failing which the replication shall not be taken on record.

17. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

18. If any of the parties wish to seek inspection of the documents, the same shall be sought and given within the timelines.

19. List before the learned Joint Registrar for completion of service, pleadings, admission/denial of documents and marking of exhibits on 23.11.2026.

20. List before Court for framing of issues on 08.12.2026.

I.A. 26002/2026 (under Order XXXIX Rules 1 & 2 read with Section 151 CPC)

21. The present application has been filed on behalf of the Plaintiff under Order XXXIX Rules 1 & 2 CPC seeking *ex parte* ad interim injunction against the defendant.

22. The case set out in the suit is that the plaintiff is a corporate entity having its principal office at 12 Hauz Khas Village, New Delhi, India – 110016, which houses about two hundred and fifty personnel, and operates a restaurant under the name and style of “SOCIAL”, a restaurant brand which is subject matter of the present suit.

23. Ms. Shikha Sachdeva, Ld. Counsel for the plaintiff submits that the plaintiff started the business in the year 2001 and adopted the trademark “SOCIAL” in the year 2012.

24. The trademark “SOCIAL” has also been declared a well-known



trademark under Section 2(1)(zg) of the Trade Marks Act, 1999 by this Court *vide* order dated January 09, 2026 in CS(COMM) 121/2025 titled as ‘*Impresario Entertainment & Hospitality Pvt. Ltd. Vs. M/s The Shake Social Through Its Proprietor*’.

25. She submits that the plaintiff has set up and is managing and operating 52 “SOCIAL” restaurants/bars pan India. The details of such restaurants have been set out in para 11 of the plaint which reads as under:

DELHI NCR	



NOIDA S(=)CIAL	IFC S(=)CIAL
CYBER HUB S(=)CIAL	SECTOR 85 S(=)CIAL
CHANDIGARH	
SECTOR-7 S(=)CIAL	ELANTE S(=)CIAL / ELANTE S(=)CIAL
DEHRADUN	
देहरादून S(=)CIAL	
MUMBAI	
CARTER ROAD S(=)CIAL	POWAI S(=)CIAL
CAPITAL S(=)CIAL	VERSOVA S(=)CIAL
कोलाबा S(=)CIAL	गोरेगाँव S(=)CIAL
खार S(=)CIAL	PALLADIUM S(=)CIAL



VASHI S(400 193)CIAL	विव्रगेली S(400 193)CIAL
THANE S(400 001)CIAL	CHEMBUR S(400 074)CIAL
MALAD S(400 064)CIAL	DADAR S(131)CIAL
Todi Mill S(400 001)CIAL Re-branded to 	NESCO S(400 093)CIAL
NEW CUFFE PARADE S(400 037)CIAL	GHATKOPAR S(400 074)CIAL
PUNE	
F. C. ROAD S(400 004)CIAL	विमान नगर S(400 074)CIAL
KOREGAON PARK S(411 001)CIAL	
GOA	



antiSOCIAL goa	
BENGALURU	
CHURCH STREET S(OCIAL)	KORAMANGALA S(OCIAL)
INDIRANAGAR S(OCIAL)	E-CITY S(OCIAL)
SARJAPUR S(OCIAL)	WHITEFIELD S(OCIAL)
NAGAVARA S(OCIAL)	HEBBAL S(OCIAL)
JP NAGARA S(OCIAL)	BELLANDUR S(OCIAL)
E-CITY S(OCIAL)	
HYDERABAD	
MINDSPACE S(OCIAL)	
KOLKATA	
PARK STREET S(OCIAL)	
LUCKNOW	
HAZRATGANJ S(OCIAL)	



26. According to her the plaintiff's "SOCIAL" restaurants/bars have become very popular among the general public and have also received various awards for excellence in the hospitality industry.

27. She invites attention of the Court to para 14 of the plaint to contend that the plaintiff, in fact, has over a hundred registrations for the trade mark "SOCIAL", which have been listed out in the plaint.

28. The mark "देहरादून Social" which is a subject matter of the present suit is mentioned at Sl. No. 59 in para 14 of the plaint, and has been registered *vide* registered no. 6164201 in Class 43 and the same is being used by the plaintiff w.e.f. February 10, 2023.

29. The turnover of the plaintiff for the years 2001-2025 has been detailed in para 26 of the plaint, and the revenue of all brands in the financial year 2024-2025 was Rs.6,97,09,33,000/- of which the revenue under the "SOCIAL" brand was Rs.5,89,39,64,082/-.

30. That apart, the plaintiff has extensively been advertising its trade mark "SOCIAL" and its variants and the overall promotional expenses incurred by the plaintiff has been set out in para 25 of the plaint, which is to the tune of Rs. 29,19,78,858/- for the Financial Year 2024-25.

31. According to Ms. Sachdeva, the plaintiff, upon conducting internet searches into the defendant's business in and around August, 2024, was shocked to note that defendant is advertising/promoting its restaurant/bar services under the impugned trademark on third party websites, including but not limited to Zomato, Swiggy, Justdial, Magicpin, Google Maps etc.

32. After acquiring the above knowledge the plaintiff through its Attorney issued a cease-and-desist notice dated September 18, 2024 to the defendant demanding cessation of use of the plaintiff's trademark 'SOCIAL' as part of



its trademark. However, the said notice did not elicit any response.

33. The said cease and desist notice was further followed by other notices as well.

34. It is stated that in and around September, 2025, upon conducting a search of the records maintained by the Trade Mark Registry, the plaintiff was surprised to note that, in September, 2024 the defendant had filed trade mark application for registration of impugned trade mark “SOCIAL CIRCLE” bearing application number 6642539 in Class 43, on a ‘proposed to be used’ basis. However, the said application currently stands abandoned due to non-prosecution.

35. The impugned mark of the defendant which has been set out in para 44 is being reproduced hereinbelow for the ease of reference:



36. The comparison between the two offending/rival marks of the defendant detailed in the foregoing paragraph with the registered mark of the plaintiff i.e. ‘SOCIAL’ demonstrates that the mark adopted by the defendant is identical/deceptively similar to the trade mark of the plaintiff.

37. Having regard to the aforesaid circumstances, this Court is of the view that the plaintiff has succeeded in establishing a strong *prima facie* case in its favour and against the defendant.



38. The balance of convenience, keeping in view the documentary evidence of the plaintiff, the registration in the favour of the plaintiff and the declaration of plaintiff's mark as "SOCIAL" as well-known mark, also tilts in favour of the plaintiff.

39. This Court is of the view that the plaintiff will suffer an irreparable loss and injury which cannot be compensated in terms of money in case *ex parte* injunction order is not passed, till the next date of hearing.

40. Accordingly, till the next date of hearing, the defendant, its directors, principals, proprietors, partners, officers, employees, agents, distributors, suppliers, affiliates, subsidiaries, franchisees, licensees, representatives, group companies and assignees are restrained from using, selling, marketing, supplying, offering for sale, advertising, directly or indirectly dealing with any of the services under the impugned trademark "SOCIAL CIRCLE" of defendant or any other trademark which may be identical or deceptively similar to the plaintiff's registered trade mark "SOCIAL".

41. Issue notice to the defendant by all permissible modes.

42. Let reply be filed within a period of four weeks.

43. Rejoinder thereto be filed before the next date.

44. List before learned Joint Registrar for completion of service and pleadings on 23.11.2026.

45. Provisions of Order XXXIX Rule 3 CPC be complied with within a period of ten [10] days from today and affidavit of compliance be filed within a period of three days thereafter.

46. List before Court on 08.12.2026.

VIKAS MAHAJAN, J

SEPTEMBER 21, 2026/nsa