



2026:DHC:8427



\$~O-20

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010794202024
+ **CS(COMM) 1005/2024 and I.A. 44919/2024, I.A. 44920/2024, I.A. 29108/2025, I.A. 29820/2025**

Date of Decision: **24.09.2026****IN THE MATTER OF:**

GLOBAL HEALTH LIMITED & ANR.

.....Plaintiffs

Through: Ms. Shyel Trehan, Sr. Adv. with Ms.
Manjira Dasgupta, Mr. Bhargav R.
Thali, Mr. Mayank and Ms. Vidhi
Jain, Advs.

versus

MR DENISH P KALARIYA & ORS.

.....Defendants

Through:

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****JUDGEMENT****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)****I.A NO. 26369/2026 (filed by the plaintiffs under Order VIII rule 10 of CPC)**

1. The plaintiff has filed this application under Order VIII Rule 10 of the Code of Civil Procedure, 1908 for the following reliefs:

"A. Pronounce a Judgment against Defendant No. 1 or any person acting for and on their behalf, or make such order in relation to the suit as it thinks fit and pass a decree in terms of prayers (a) of (c) of the Plaint;
B. Pass any other that this Hon'ble court may deem fit and proper in the

Signature Not Verified
Signed By: NEHA CHOPRA
Signing Date: 28.09.2026
16:59:19

Signature Not Verified
Signed
By: PURUSHAINDRA
KUMAR KAURAV



2026:DHC:8427



facts and circumstances of the present case.”

2. The suit is primarily against defendant no. 1, who was marketing exporting, supplying and selling an ayurvedic weight management medicine named “Medanta Capsule” using the brand name “Medanta”.
3. The Court, *vide* order dated 14.11.2024, granted injunction in favour of the plaintiffs. Paragraph nos. 21 to 23 of the said order are extracted as under:

“21. Based on the averments made in the plaint and the submissions made on behalf of the Plaintiffs, the Plaintiffs have established that it is the registered proprietor of the trade mark “MEDANTA”

22. A prima facie case to grant ex-parte ad-interim injunction relief in favour of plaintiffs and against the defendants, is made out. The use of the mark “MEDANTA” by the Defendants is likely to cause confusion in the market as the public at large would associate the goods being sold by the defendants with the plaintiffs. Balance of convenience is in favour of the plaintiffs and against the defendants. Irreparable injury would be caused to the plaintiffs if the defendants continue to use the impugned trademark. It is settled position of law in respect of medicinal products the degree of scrutiny should be of a higher level considering the public interest involved.

23. Consequently, till the next date of hearing, the defendant no.1, or any person acting for and, on their behalf, are restrained from manufacturing, selling, offering for sale, advertising (directly or indirectly) and/or dealing in any manner whatsoever with goods/services under the wordmark/trademark “MEDANTA” or any other trademark/wordmark/trade name/logo etc. that may amount to infringement of the plaintiffs’ registered trademarks.

4. Infocom Network Private Limited and IndiaMart, which are listing platforms, had complied with the injunction order. This position remains admitted by the plaintiff. They, therefore, were deleted *vide* orders dated 17.12.2024 and 18.03.2025, respectively.
5. Defendant no.1 despite service, has not entered appearance. The record would further indicate that the Joint Registrar on 29.08.2025 closed the rights of defendant no.1 to file the Written Statement. Order dated

Signature Not Verified
Signed By: NEHA CHOPRA
Signing Date: 28.09.2026
16:59:19

Signature Not Verified
Signed
By: PURUSHAINDR
KUMAR KAURAV



2026:DHC:8427



29.08.2025 of the Joint Registrar is also extracted as under:

“1. Despite being served on 28.04.2025, defendant no. 1 has not put in appearance nor filed a written statement. Consequently, since the maximum permissible period to do so has expired, right to file the written statement stands closed for defendant no. 1.

2. Defendant no. 2 is a John Doe.

3. Matter is already listed before the Hon’ble Court for 03.09.2025. Be placed before the Hon’ble Court on the date already fixed i.e. 03.09.2025, for further directions.”

6. It is also considered by the plaintiff that pursuant to the order dated 14.11.2024, defendant no.1 was restrained from manufacturing, selling, offering for sale, advertising (directly or indirectly) and/or dealing in any manner whatsoever with goods/services under the wordmark/trademark “MEDANTA” or any other trademark/wordmark/trade name/logo etc. that may amount to infringement of the plaintiffs’ registered trademarks.

7. Since the reference to Vedanta Capsule continued to remain on defendant no. 1’s website, the plaintiff had to seek further directions, and eventually, the Court *vide* order dated 03.09.2025, directed defendant no.1 to take steps to correct its website and file a compliance affidavit within two weeks. This direction has also been complied with.

8. Essentially, the interim relief granted by the Court has been fully availed by the plaintiff, and as of now, there does not seem to be any infringement of the plaintiff’s trade mark. The relief prayed for by the plaintiff also has not been disputed/ opposed by the sole contesting defendant.

9. In view of the aforesaid, the present application is allowed and the civil suit stands decreed in terms of prayers (a) to (c).

10. Since prayer (d) is withdrawn, the same is dismissed.

Signature Not Verified
Signed By: NEHA CHOPRA
Signing Date: 28.09.2026
16:59:19

Signature Not Verified
Signed By: PURUSHAINDR
KUMAR KAURAV



2026:DHC:8427



11. The civil suit stands disposed of alongwith pending applications.
12. Let the decree sheet be drawn.

PURUSHAINDRA KUMAR KAURAV, J

SEPTEMBER 24, 2026/P

Signature Not Verified
Signed By: NEHA CHOPRA
Signing Date: 28.09.2026
16:59:19

Signature Not Verified
Signed
By: PURUSHAINDRA
KUMAR KAURAV