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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010510862026
+ **CS(COMM) 1155/2026**
MHG IP HOLDING SINGAPORE PTE LTD & ORS.....Plaintiffs

Through: Mr. Chander M. Lall, Sr. Adv. with
Mr. Amit Panigrahi, Ms. Samanyu
Bhatnagar, Mr. Sahil Arora & Ms.
Ishikaa Seth, Advs.

versus

ANTARA RESORTS AND BANQUETS Defendant
Through:

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

% **ORDER**
27.10.2026

IA Nos. 29413/2026 & 29414/2026 (Exemptions)

1. Exemptions are allowed, subject to all just exceptions.
2. The Applications stand disposed of.

IA No. 29411/2026 (Exemption from pre-institution Mediation)

3. This is an Application filed by the Plaintiffs seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (“CC Act”).
4. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC OnLine SC 1382, exemption from the requirement of pre-institution Mediation is granted.
5. The Application stands disposed of.



IA No.29412/2026 (Exemption from advance service to the Defendant)

6. This is an Application filed by the Plaintiffs under Section 151 of the Code of Civil Procedure, 1908 (“CPC”) seeking exemption from advance service to the Defendant.

7. Mr. Chander M. Lall, learned Senior Counsel for the Plaintiffs, submitted that there is a real and imminent likelihood that the Defendant may take immediate steps to dispose of, conceal or suppress its infringing business operations and digital footprints bearing the deceptively similar Trade Mark.

8. In view of the fact that the Plaintiffs have sought an urgent *ex-parte ad-interim* injunction, the exemption from advance service to the Defendant is granted.

9. The Application stands disposed of.

CS (COMM) 1155/2026

10. Let the Plaint be registered as a Suit.

11. Issue Summons. Let the Summons be served to the Defendant through all permissible modes upon filing of the Process Fee.

12. The Summons shall state that the Written Statement shall be filed by the Defendant within 30 days from the date of the receipt of Summons. Along with the Written Statement, the Defendant shall also file an Affidavit of Admission / Denial of the documents of the Plaintiffs, without which the Written Statement shall not be taken on record.

13. Liberty is granted to the Plaintiffs to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the Plaintiffs, an Affidavit of Admission / Denial of the documents of Defendant be filed by the Plaintiffs, without which the Replication shall not be taken on record.



22. Learned Senior Counsel for the Plaintiffs submitted that:

- 22.1. The Plaintiffs form part of the internationally renowned *Minor International Public Company Limited* group, widely known as the *Minor Hotels Group*, a global hospitality conglomerate engaged in the development, ownership, management and operation of luxury hotels, resorts, branded residences, spas, wellness destinations and allied hospitality ventures worldwide.
- 22.2. The Plaintiffs honestly conceived, adopted and commenced use of the Plaintiffs' Marks as early as the year 2000 and have ever since, continuously, extensively, openly and exclusively used the Plaintiffs' Marks in the course of trade in relation to luxury hospitality services, hotel and resort services, branded residences, luxury villas, wellness services, vacation ownership offerings and allied commercial activities.
- 22.3. The Plaintiffs' Marks registrations, several of which claim user from 08.11.2000, establish the Plaintiffs' longstanding, continuous and extensive use of the Plaintiffs' Marks and the valuable statutory rights vested in the Plaintiffs under the Trade Marks Act, 1999. In India, the Plaintiffs hold valid and subsisting registrations for Plaintiffs' Marks in Classes 3, 35, 36, 43 and 44. The details of the registrations of the Plaintiffs' Mark are set out hereunder:

S No.	Appl. No.	User Details	Trademark	Class	Status
1.	5175776	A/D- 16/10/2021 U/D-08/11/2000		3	Registered



2.	5175777	A/D-16/10/2021 U/D-08/11/2000		35	Registered
3.	5175778	A/D-16/10/2021 U/D-08/11/2000		36	Registered
4.	5175779	A/D-16/10/2021 U/D-08/11/2000		43	Registered
5.	5175780	A/D-16/10/2021 U/D-08/11/2000		44	Registered
6.	5175781	A/D-16/10/2021 U/D-08/11/2000	ANANTARA	3	Registered
7.	5175783	A/D-16/10/2021 U/D-08/11/2000	ANANTARA	36	Registered
8.	5175784	A/D-16/10/2021 U/D-08/11/2000	ANANTARA	43	Registered
9.	5175785	A/D-16/10/2021 U/D-08/11/2000	ANANTARA	44	Registered
10.	1627616	A/D-05/12/2007 U/D-01/01/2001		42	Accepted & advertised
11.	6706018	A/D-12/11/2024 U/D-08/11/2000	www.anantara.com	35	Accepted & advertised
12.	6706019	A/D-12/11/2024 U/D-08/11/2000	www.anantara.com	36	Accepted & advertised
13.	6706020	A/D-12/11/2014 U/D-08/11/2000	www.anantara.com	43	Accepted & advertised
14.	6706021	A/D-12/11/2024 U/D 08/11/2000	www.anantara.com	44	Accepted & advertised



- 22.4. The enormous commercial success of the Plaintiffs under the Plaintiffs' Marks is evidenced by the substantial revenues generated as demonstrated for Financial Year ("FY") 2024-2025 valued at \$795.4 million. The annual promotional and marketing expenditure incurred by the Plaintiffs under the Plaintiffs' Marks for the FY 2024-2025 was \$88,276.49.
- 22.5. The Plaintiffs have continuously operated the domain name, www.anantara.com since 08.11.2000. The said domain name was adopted and registered contemporaneously with the Plaintiffs' adoption of the Plaintiffs' Marks and has been continuously used for more than two decades in connection with the Plaintiffs' business operations.
- 22.6. The Plaintiffs have catered to a substantial and growing customer base originating from India. Indian consumers have continuously booked, visited and stayed at properties operating under the Plaintiffs' Marks and have accessed the Plaintiffs' services through travel agents, online booking channels and direct reservations.
- 22.7. The Plaintiffs under the Plaintiffs' Marks enjoy substantial visibility and consumer engagement across multiple social media platforms. The Plaintiffs actively promote and advertise their services under Plaintiffs' Marks through officially maintained accounts on Facebook, YouTube, X and Instagram.
- 22.8. During a routine check of intellectual property violations for the Plaintiffs in the second week of April 2026, wherein similar services to those of the Plaintiffs were being offered, the Plaintiffs



discovered the Defendant, *Antara Resort and Banquets*, operating under the Marks, ‘ANTARA / ANTARA RESORT



’ (“Impugned Marks”).

- 22.9. The Plaintiffs further discovered that the Defendant had established an online presence through advertisements, promotions and offered hospitality, resort, banquet, venue, event, wedding and allied services under the Impugned Marks through its physical establishment, social media accounts and third-party online listings, including Instagram, Facebook, Threads, WedMeGood, WeddingWire and Justdial.
- 22.10. By being deeply concerned and aggrieved by the infringing activities of the Defendant, the Plaintiffs issued a cease and desist notice dated 16.04.2026 (“**Notice**”), physical and online *via* their available address and e-mails to the Defendant, calling upon them, *inter alia*, to immediately cease and desist from using the Impugned Marks and to refrain from infringing and violating the Plaintiffs’ Marks in any and all manner whatsoever. The Defendant did not issue any response to the Notice.
- 22.11. Subsequently, the Plaintiffs sent reminder communications to the Defendant on 07.05.2026, 12.06.2026 and 08.07.2026, which



went unanswered. Despite repeated communications and reminders, the Defendant deliberately chose to ignore the Plaintiffs' demands and failed to furnish any explanation or justification whatsoever for its unlawful adoption and continued the use of the Impugned Marks.

22.12. The Defendant's continued acts of infringement and passing off have caused, and unless restrained will continue to cause, grave and irreparable injury to the Plaintiffs' Marks. The Defendant's unauthorised use of the Impugned Marks being deceptively similar to the Plaintiffs' Marks, in relation to overlapping hospitality, resort, banquet, event and allied services is likely to cause confusion and false association with the Plaintiffs, erode the distinctiveness and source-identifying significance of the Plaintiffs' Marks and dilute the goodwill and reputation painstakingly built by the Plaintiffs over several decades.

22.13. The comparative analysis of the Plaintiffs' Marks and the Impugned Marks are set out hereunder:

Plaintiffs' Marks	Impugned Marks
ANANTARA 	ANTARA 



	 
Resorts, Hospitality, restaurant and Spa services; Rental of Apartments; Apartment House Management; Real Estate Agency Services; Real Estate Management Services; Rental of Real Estate	Hospitality, Resort, banquets, Venue and events services

23. Having considered the submissions advanced by the learned Senior Counsels for the Plaintiff, the pleadings and the documents on record it is clear that the Plaintiff is the registered proprietor of the Plaintiffs' Marks. The Plaintiff has been able to establish long and continuous use of the Plaintiffs' Marks, since the year 2000 with respect to hospitality services. The Plaintiffs have demonstrated the goodwill and reputation acquired by the Plaintiffs' Marks. The sales turnover of the Plaintiffs in the FY 2024-2025 was \$795.4 million and the advertisement and promotion expenses of the Plaintiffs in the FY 2024-2025 were \$88,276.49.



24. The Defendant's use of the Impugned Marks is *prima facie* dishonest and nothing but an attempt to ride on the goodwill and reputation of the Plaintiffs' Marks, so as to cause confusion in the market. The Defendants are not only riding on the goodwill and reputation enjoyed by the Plaintiffs but are also, attempting to show some association or nexus with the Plaintiffs, where none exists.

25. This is a case of triple identity, where the Impugned Marks are identical, the service category is identical and the trade channel as also, the consumer base is identical to the Plaintiffs' Marks. *Prima facie*, the Impugned Marks adopted and used by the Defendant are visually, phonetically, structurally and deceptively similar to the Plaintiffs' Marks. To an unwary consumer of average intelligence and imperfect recollection, the Marks are likely to appear identical, thereby leading to confusion regarding the source or origin of the services.

26. A *prima facie* case has been made out by the Plaintiffs as the alleged acts attributed to the Defendant are likely to cause confusion in the course of trade of the Plaintiffs, such that the consumers may associate the Impugned Marks with the Plaintiffs, leading to erosion of consumer trust and dilution of the goodwill and reputation of the Plaintiffs amongst the members of the trade and public. Thus, the balance of convenience lies in favour of the Plaintiffs. Irreparable injury would be caused to the Plaintiffs if an *ex parte ad-interim* injunction is not granted to the Plaintiffs.

27. Accordingly, till the next date of hearing, the Defendant, their directors, proprietors, partners, assignees in business, associates, affiliates, franchisees, licensees, distributors, dealers, stockists, retailers, agents and all others acting for and on their behalf are restrained from manufacturing, selling, offering for



sale, advertising in any manner including on the internet, e-commerce platforms and social media platforms, or directly or indirectly dealing in hospitality services under the Impugned Marks, 'ANTARA / ANTARA RESORT &



BANQUETS', ' / ' / '



, or any other Mark which is identical or deceptively similar to the Plaintiffs' Marks, 'ANANTARA', '



, ' so as to cause infringement and / or passing off of the Plaintiffs' Marks.

28. Let the Reply to the present Application be filed within four weeks after service of Notice. Rejoinder thereto, if any, be filed before the next date of hearing.

29. The compliance of Order XXXIX Rule 3 of the CPC be done within two weeks.

30. List before this Court on 08.02.2027.

TEJAS KARIA, J

OCTOBER 27, 2026

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