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

% ***Date of Decision: November 18th, 2026***

\# **CNR No. DLHC010335542022**

\+ W.P.(C) 12811/2022

SECURITAS AB .....Petitioner

Through: Mr. Aditya Verma,
Ms. Devyani Nath &
Ms. Saumya Pandey, Advs.

versus

THE REGIONAL DIRECTOR, MINISTRY OF CORPORATE AFFAIRS AND ORS .....Respondents

Through: Mr. Mukul Singh, CGSC with
Mr. Aryan Dhaka & Ms. Priyal Goswami, Advs. for R1 & 3.
Dr. Vikrant Narayan Vasudeva,
Mr. Arindam Gupta &
Mr. Nilesh Kumar, Advs. for R2.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. The present petition is filed under Article 226 of the Constitution of India assailing the order dated 09.05.2022 (hereafter referred to as **'the impugned order')** passed by Respondent No.1 – the Regional Director (Northern Region), Ministry of Corporate Affairs. By the impugned order, the application filed by the petitioner under Section 16(1)(b) of the Companies Act, 2013 (hereafter referred to as **'the Act'**) seeking rectification of the name of Respondent No.2 was dismissed as barred by limitation.

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2. The petitioner is a company incorporated in Sweden and is engaged in providing security services. It claims to be the registered owner of the trade mark 'SECURITAS' in India since 2005.

3. Respondent No.2/Tapish Securitas Private Limited, was incorporated on 02.08.2010 under the Companies Act, 1956 as **'Red Fox Securitas Private Limited'**. It is also engaged in providing security services. On 17.08.2018, it changed its name to **'Tapish Securitas Private Limited'**.

4. Pursuant thereto, the petitioner preferred an application dated 23.09.2019 under Section 16(1)(b) of the Act before Respondent No.1, seeking a direction to Respondent No.2 to change its name by deleting the word **'SECURITAS'**. The said application came to be dismissed by Respondent No.1 *vide* the impugned order dated 09.05.2022, as being barred by limitation.

5. The learned counsel for the petitioner submits that the petitioner has been the registered proprietor of the trade mark 'SECURITAS' since 2005. He submits that the change of name in 2018 gave a fresh cause of action under Section 16(1)(b) of the Act, and the application filed in 2019 was within time. He further submits that the name is undesirable under Section 4(2) of the Act read with Rule 8A of the Companies (Incorporation) Rules, 2014.

6. *Per contra*, the learned counsel for Respondent No.2 submits that the application under Section 16(1)(b) of the Act was filed well beyond the period of three years. He submits that Respondent No.2 has had 'Securitas' in its name since 2010, and the change in 2018 only replaced 'Red Fox' with 'Tapish'. He further submits that the

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petitioner did not raise any objection for eight years and cannot use the change of name to revive a barred claim.

7. I have heard the learned counsel for the parties and perused the record.

8. The petitioner is aggrieved by the term 'SECURITAS' and seeks to impress upon this Court that the Respondent No.2 changing its name from 'Red Fox Securitas Private Limited' to Tapish Securitas Private Limited', while retaining the term 'Securitas', gave rise to a fresh cause of action to raise an objection.

9. It is pertinent to note that the words 'change of name' in Section 16(1)(b) give a fresh period of limitation only where the change introduces the name, or the part thereof, to which objection is taken. A claim that is already barred does not revive merely because the company alters some other part of its name. The grievance over 'SECURITAS' arose in 2010, and in any event not later than 01.04.2014 when the provision in regard to objection to undesirable name was introduced by inserting Section 4(2) in the Companies Act. The petitioner, therefore, cannot contend that the cause of action arose in 2018, as that change had nothing to do with the word 'SECURITAS'.

10. The reliance placed by the petitioner on the provisions relating to undesirable names is misplaced. Section 4(2) of the Act and Rule 8A of the Companies (Incorporation) Rules, 2014 operate at the stage of registration of a name. They do not create a separate remedy, free of limitation, against a name already registered.

11. This Court is of the view that the petitioner has failed to furnish

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sufficient cause for the delay. The alternative prayer seeking liberty to apply under Section 460 of the Act seeking condonation of delay before the authorities, therefore, does not merit acceptance.

12. The scope of interference under Article 226 of the Constitution of India against an order passed by a statutory authority is limited. This Court, in exercise of its writ jurisdiction, does not sit as a court of appeal over such an order, and interference is warranted only where the order suffers from a patent illegality, is without jurisdiction, or is passed in violation of the principles of natural justice.

13. In the present case, the impugned order was passed by Respondent No.1 after affording the parties ample opportunity of hearing. It is a reasoned order, and the view taken therein is in consonance with the plain language of Section 16(1)(b) of the Act. No exceptional circumstance has been shown warranting interference by this Court. In view of the above, this Court finds no reason to exercise its discretionary jurisdiction under Article 226 of the Constitution of India.

14. Accordingly, the present petition, being devoid of merit, is dismissed, with costs of ₹25,000/- to be deposited by the petitioner with the Delhi High Court Legal Services Committee within a period of four weeks from today.

15. Pending application(s), if any, also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 18, 2026
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