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

+ **CS(COMM) 697/2026**

ASTRAL LTD.

.....Plaintiff

Through: Mr. Sachin Gupta, Mr. Rajat Jain, Mr. Rohit Pradhan, Ms. Prashansa, Ms. Mahima and Mr. Ajay, Advocates.

versus

M/S. SRI SAI ELECTRICALS & ORS.

.....Defendants

Through: Mr. Kunal Khanna, Mr. Kaulik Mitra, Mr. Samanyu Bhatnagar, Mr. Aditya Vats Sharma, Mr. Rishabh Gupta and Mr. Anuj Dhar, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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06.07.2026

I.A. 16831/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

I.A. 16830/2026 (for pre-institution mediation)

3. This application is filed on behalf of the Plaintiff under Section 12-A of the Commercial Courts Act, 2015 read with Section 151 CPC seeking exemption from Pre-Institution Mediation.
4. Having regard to the facts of the present case wherein urgent relief is prayed for and in light of the judgment of Supreme Court in *Yamini Manohar v. T.K.D. Keerthi*, (2024) 5 SCC 815, as also Division Bench of this Court in *Chandra Kishore Chaurasia v. RA Perfumery Works Private*



Ltd., 2022 SCC OnLine Del 3529, exemption is granted to the Plaintiff from Pre-Institution Mediation.

5. Application is allowed and disposed of.

CS(COMM) 697/2026 & I.A.16832/2026

6. This suit is instituted by the Plaintiff *inter alia* seeking a decree of permanent injunction restraining the Defendants and all others acting on their behalf from manufacturing, selling, offering for sale, advertising, promoting, distributing, exporting, importing, exhibiting or otherwise, directly or indirectly, dealing in wires, cables or any other goods using the mark ASTRAL, whether alone or as part of the marks  and , and/or any other mark deceptively similar to Plaintiff's registered trademark ASTRAL and its formative marks, amounting to infringement and/or passing off.

7. Let plaint be registered as a suit.

8. Issue summons.

9. Mr. Kunal Khanna, learned counsel enters appearance on behalf of the Defendants and accepts summons.

10. Mr. Khanna submits, on instructions, that Defendants do not wish to contest the present suit and have decided to give up the use of the impugned marks forthwith as also not to use the marks  and , and/or any other mark identical or deceptively similar to Plaintiff's ASTRAL marks in future and that Defendants shall initiate steps for seeking cancellation of registration of impugned mark  under No. 5904651 dated 22.04.2023 in Class 09 within three weeks from today and shall not



prosecute their application for registration of the said label mark in Class 17. It is, however, submitted that Defendants be permitted to sell the existing stock bearing the impugned marks within six months from today.

11. Mr. Sachin Gupta, learned counsel for the Plaintiff submits that in light of the statement made on behalf of the Defendants, the suit be decreed and Plaintiff shall forgo its claims for delivery up, damages and costs. With regard to sale of the existing stock, he submits that Plaintiff has no objection to the Defendants selling the impugned products within an outer limit of five months provided the existing stock is inventorized in the presence of the authorized representative of the Plaintiff and the details are filed before the Court.

12. In light of the settlement between the parties, the suit is decreed in terms of paragraph 60(a) and (b) of the plaint since Plaintiff has forgone the reliefs claimed in paragraph 60(d), (e) and (f). Insofar as prayer (c) is concerned, seeking declaration of the mark ASTRAL as well-known trademark, liberty is reserved with the Plaintiff to seek the relief in any other proceeding.

13. Undertaking of the Defendants that they shall take appropriate steps to seek cancellation of registration of the mark  in Class 09 and shall not prosecute the application for registration of the mark  in Class 17, is taken on record and accepted and shall bind the Defendants.

14. Defendants are permitted to sell the existing stock within an outer limit of five months from today. For this purpose, the representatives of the parties shall jointly inventorize the existing stock on 13.07.2026 at 02:30 P.M. and both parties shall take photographs of the proceedings. Defendants



shall file an affidavit of undertaking given to the Court that they will forthwith discontinue the use of the impugned marks and not use the same in future as also with respect to the registrations of the mark . The affidavit will be accompanied by the inventory prepared on 13.07.2026. The affidavit shall be filed within three weeks from today.

15. Registry is directed to draw up the decree sheet.

16. Suit is disposed of along with the pending application.

JYOTI SINGH, J

JULY 6, 2026

S.Sharma