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

+ **RFA(COMM) 404/2026**

PAPPU SAH AND ORS.

.....APPELLANTS

Through: **Mr. Sachin Gupta, Adv.**

versus

GUDDU GUPTA TRADING AS M/S. LEELA COSMETICS

.....RESPONDENT

Through: **Mr. Sanjeev Singh, Mr. Amit Tiwari,
Mr. Sanjit Singh and Ms. Sushma
Kumari, Adv.**

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 09.07.2026

CM APPL. 42128/2026 (Exemption)

1. For the reasons stated in the application, the same is allowed.
2. The same be filed before the next date of hearing.
3. The application stands disposed of.

CM APPL. 42129/2026 (Exemption)

4. Exemption is allowed, subject to all just exceptions.
5. The application stands disposed of.

CM APPL. 42131/2026 (For summoning of Trial Court Records)

6. For the reasons stated in the application, the same is allowed.
7. Soft copy of the Trial Court Record be requisitioned before the next date of hearing.



8. The application stands disposed of.

RFA(COMM) 404/2026 & CM APPL. 42130/2026 (Stay)

9. Having heard the learned counsel for the parties, we note, the learned District Judge had framed the following issues for its consideration in the suit filed by the respondent herein:-

- “(1) Whether plaintiff is entitled for a decree of injunctions, as prayed in para no.34(A) (i) to (v)? ...OPP*
(2) Whether plaintiff is entitled for a decree of rendition of account or in the alternative for a decree of damages of Rs.5,00,000/- as claimed? ..OPP
(3) Whether plaintiff is entitled for delivery of all the impugned/counterfeit goods found by the Local Commissioner during the execution of commission? ...OPP
(4) Whether plaintiff has made false statements on oath or has filed false affidavit of truth? ..OPD
(5) Relief.”

10. Suffice to state that insofar as the issue no.1 is concerned, the same has been decreed in favour of the respondent/plaintiff, based on the admission on the part of the appellants which has been noted by the learned District Judge in paragraph no.16 of the impugned order, in the following manner:-

“.....It is an admitted fact that the parties had business relations and the defendants used to work as distributor/dealer of the plaintiff. It is further admitted in the written statement that the defendants have no proprietary rights for the impugned trademark/label Roop Lady and design of bottle of sticks of Sindoor in relation to the impugned goods.....

In view of the testimony of the witnesses examined by the parties and documents on record, aforementioned discussions and examining the case on the basis of preponderance of probabilities, this court is of the considered opinion that the plaintiff has proved the issue no.(1). The issue no.1 is



accordingly decided in favour of the plaintiff and against the defendants.”

11. Insofar as the issue no.2 is concerned, the same has decided in favour the defendants/appellants herein and the said conclusion is not under challenge.

12. Insofar as, the issue no.3 is concerned, the same has been decided in favour of the plaintiff/respondent herein. Concedingly, there is no challenge insofar as the said conclusion is concerned.

13. Accordingly, we issue notice only on the findings on issue no.4. Notice is accepted by the learned counsel for the respondent.

14. The parties shall file their written submissions along with the judgement(s) they intend to rely upon, within four weeks.

15. Learned counsel for the respondent shall produce the originals of the exhibits in the suit on the next date of hearing.

16. Re-notify on 14.08.2026.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JULY 9, 2026/rk