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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 603/2019 & CCP(O) 73/2019, I.As. 15128/2019, 260/2020, 1132/2020, 1269/2020, 2276/2020, 4184/2020, 19800/2022**
MR. ANIL RATHI Plaintiff

Through: Mr. Sagar Chandra, Ms. Srijan Uppal,
Ms. Mehek Dua and Ms. K. Natasha,
Advocates. (M. 8884840650)

versus

SANJOG STEELS PVT. LTD. & ORS. Defendants

Through: Mr. Subhash Chawla along with Mr.
Rupon Bahl and Mr. Karan Bajaj
Advocates for D-3 to 6, 9 & 10, 21 &
22 (M. 9810838189)
Mr. Rajan bajaj along with Ms.
Akansha Rajput, Advocate for D-7.
Ms. Kinjal Sheth, Advocate for D-9
(M. 7048984190)
Mr. Rupin Bahl, Ms Pooja Bhardwaj
Advocates for D-9 & 10. (M:
9759853241)

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AND

+ **CS(COMM) 654/2019 & CRL.M.A. 16546/2020, I.As. 16992/2019, 7410/2020, 7439/2020, 11421/2020, 12173/2020, 12563/2021, 2944/2022, 9535-36/2022, 16417/2022, 1620/2023**
MR. ANIL RATHI Plaintiff

Through: Mr. Sagar Chandra, Ms. Srijan Uppal,
Ms. Mehek Dua and Ms. K. Natasha,
Advocates. (M. 8884840650)

versus

**SHRI SHARMA STEELTECH (INDIA) PVT. LTD.
& ORS.** Defendants

Through: Mr. Tanmaya Mehta with Mr.
Subhash Chawla, Advocates for D-
4,7 & 8 (M. 9810838189)
Mr. Rupin Bahl, Ms Pooja Bhardwaj
Advocates for D-10.
Mr. Sanjay S. Chhabra, Mr. Satish



Choudhary and Ms. Sugandh Virmani, Advocates for D-19.
Mr. Rohit Amit Sthalekar & Mr. Ashish Choudhury, Advocates for Contemnor 1 to 7. (M: 8095957280)

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER

% **16.08.2023**

1. This hearing has been done through hybrid mode.

CS(COMM) 603/2019 & CCP(O) 73/2019, I.As. 15128/2019, 260/2020, 1132/2020, 1269/2020, 2276/2020, 4184/2020, 19800/2022

2. Mr. Sagar Chandra, Id. Counsel for the Petitioner submits that he has received an additional affidavit filed by Defendant No.9. The same appears to have been filed, but is not on record. Let the same be brought on record. Mr. Chandra, Id. Counsel wishes to file a reply to the said affidavit, let the same be done within six weeks.

3. Mr. Rupin, Id. Counsel on behalf of Defendant No.10 submits that the license in favour of Defendant No.9 has been withdrawn by Defendant No. 10 and, thus, Defendant No. 10 he does not press *I.A. 19800/2022*. Accordingly, the same is disposed of.

4. List all the remaining applications for hearing on 24th November, 2023.

CS(COMM) 654/2019 & CRL.M.A. 16546/2020, I.As. 16992/2019, 7410/2020, 7439/2020, 11421/2020, 12173/2020, 12563/2021, 2944/2022, 9535-36/2022, 16417/2022, 1620/2023

5. The trademark 'RATHI' has become the subject matter of dispute in a number of litigations before this Court. The main issue in these litigations is



in respect of alleged indiscriminate licensing of the said mark to various third parties by members of the Rathi family.

6. The list of cases relating to the said 'RATHI' mark are as under:

LIST OF PENDING RATHI MATTERS BEFORE THE HON'BLE HIGH COURT OF DELHI

S. No.	Cause Title	Next Date of Hearing	Before Hon'ble High Court of Delhi/ Learned Joint Registrar of Delhi High Court
1.	Mr. Anil Rathi and Ors. v. DSR Steels Pvt. Ltd. & Ors. <i>bearing</i> CS (COMM) No. 963/2018.	14.09.2023	Before Hon'ble Mr. Justice C. Hari Shankar
2.	Mr. Anil Rathi v. Sanjog Steels Pvt. Ltd. & Ors. <i>bearing</i> CS (COMM) No. 603/2019.	24.11.2023	Before Hon'ble Ms. Justice Prathiba M. Singh
3.	Mr. Anil Rathi v. Shri Sharma Steeltech Pvt. Ltd. & Ors. <i>bearing</i> CS (COMM) No. 654/2019.	24.11.2023	Before Hon'ble Ms. Justice Prathiba M. Singh
4.	Mr. Anil Rathi v. Garg Steels & Ors. <i>bearing</i> CS (COMM) No. 655/2019.	16.10.2023	Before Learned Joint Registrar
5.	Arun Rathi v. Anil Rathi & Ors. <i>bearing</i> CS (COMM) No. 735/2019.	20.11.2023	Before Hon'ble Ms. Justice Prathiba M. Singh
6.	Mr. Anil Rathi v. RGTL Industries Ltd. & Ors. <i>bearing</i> CS (COMM) No. 151/2020.	17.11.2023	Before Hon'ble Ms. Justice Prathiba M. Singh



7.	Mr. Anil Rathi v. Shree Sidhali Steels Pvt. Ltd. and Ors. <i>bearing</i> CS (COMM) No. 150/2021.	21.09.2023	Before Hon'ble Mr. Justice C. Hari Shankar
8.	Mr. Anil Rathi & Ors. v. Shrivats Rathi & Anr. <i>bearing</i> C.O. (COMM.IPD-TM) No. 15/2021.	06.10.2023	Before Hon'ble Ms. Justice Prathiba M. Singh
9.	Mr. Dhananjay Rathi v. Shree Vasu Steels Pvt. Ltd. & Ors. <i>bearing</i> CS (COMM) No. 267/2022.	31.10.2023	Before Learned Joint Registrar
10	Mr. Dhananjay Rathi v. Rathi Research Centre & Ors. <i>bearing</i> C.O. (COMM.IPD-TM) 689/2022.	07.11.2023	Before Hon'ble Ms. Justice Prathiba M. Singh
		31.10.2023	Before Learned Joint Registrar
11	Mr. Dhananjay Rathi v. Shamli Steels Pvt. Ltd. & Ors. <i>bearing</i> CS (COMM) No. 214/2023.	24.11.2023	Before Hon'ble Ms. Justice Prathiba M. Singh
12	Mr. Dhananjay Rathi v. Shree Vasu Steels Pvt. Ltd. & Ors. <i>bearing</i> FAO (OS) (COMM) No. 147/2023.	25.08.2023	Before the Division Bench of Hon'ble Mr. Justice Yashwant Varma and Justice Dharmesh Sharma



LIST OF PENDING RATHI MATTERS BEFORE SAKET DISTRICT COURT

S. No.	Cause Title	Next Date of Hearing	Before Saket District Court (South), New Delhi.
1.	Mr. Anil Rathi v. Shri Sharma Steel Rolling Mills Pvt. Ltd. and Ors. <i>bearing</i> TM No. 6/2017.	15.09.2023	Before the Learned Additional District Judge, Mr. Dinesh Kumar, Saket District Court (South)
2.	Mr. Anil Rathi v. Shri Sharma Steel Rolling Mills Pvt. Ltd. and Ors. <i>bearing</i> Misc. DJ 29/2021.	15.09.2023	Before the Learned Additional District Judge, Mr. Dinesh Kumar, Saket District Court (South)

7. It is submitted by ld. Counsels who are representing some of the family members that broadly there are two entities which license the 'RATHI' mark i.e., the Rathi Foundation and the Rathi Research Centre (RRC).

8. The Court is informed that there are five factions/groups within the Rathi Foundation and two factions/groups in RRC.



9. Since the disputes are between family members involving the mark 'RATHI', it is deemed appropriate to direct at least one trustee or a duly authorised/competent person to take decision belonging to each of the five factions of Rathi Foundation and two factions of RRC as also any of the other interested Rathi Family members to be present in Court, to explore the possibility of resolving the disputes so that the brand equity of the mark 'RATHI' is not diluted in any manner.

10. Mr. Ashish Choudhary, Id. Counsel representing RRC submits that in the suits listed today, RRC is not a party. However, this Court had on 13th July, 2023 considered *C.O. (COMM.IPD-TM) 689/2022* titled *Mr. Dhananjay Rathi v. Rathi Research Centre* in which RRC is a party.

11. List on 24th November, 2023 along with *C.O. (COMM.IPD-TM) 689/2022*.

PRATHIBA M. SINGH, J.

AUGUST 16, 2023

dj/kt