



2025:DHC:8541-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO (COMM) 274/2025, CM APPL. 60420/2025, CM APPL. 60421/2025 & CM APPL. 60422/2025**

**MADHUR CONFECTIONERS PRIVATE
LIMITED & ANR.**

.....Appellants

Through: Mr. Shailen Bhatia, Ms Ishita
Suri, Ms. Deeksha Gulati & Ms. Nidhi,
Advs.

versus

SHREE RENUKA SUGARS LTD

.....Respondent

Through: Mr. Manish Biala & Mr.
Devesh Ratan, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **23.09.2025**

C. HARI SHANKAR, J.

1. The dispute in this case relates to the use of the mark
“MADHUR”.

2. The appellants instituted a suit against the respondent stating
that the use of the mark “MADHUR”, by them, for confectionary
items, infringed the registration held by the appellants for the mark
“MADHUR”, also for confectionary items.

3. Admittedly, the respondent has no registration of the mark



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“MADHUR” in any class which covers confectionary items.

4. The respondent, however, has a registration for the mark “MADHUR” for sugar.

5. The impugned order dated 6 August 2025 passed by the learned Commercial Court adjudicates an application filed by the appellants under Order XXXIX Rules 1 and 2 of the CPC, seeking an injunction against the respondent for using the mark “MADHUR”. The learned Commercial Court has rejected the prayer for injunction.

6. Aggrieved thereby, the appellants are before this Court.

7. During the course of the hearing, it is an admitted position that, as on date, the respondent is not using the mark “MADHUR” for confectionary.

8. Mr. Shailen Bhatia, learned Counsel for the appellants submits, on instructions, that he has, at this interim stage, no objection to the respondent using its registered mark “MADHUR” for items other than sugar, in respect of which the respondent has a registration for the mark, provided the respondent does not use the mark “MADHUR” for confectionary.

9. Learned Counsel for the respondent points out that in any case, it is not using the mark “MADHUR” for confectionary items.



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10. Accordingly, with the consent of the learned counsel for the parties, the appeal is disposed of in the following terms:

(i) The respondent would stand restrained, during the pendency of the suit, from using the mark “MADHUR” for confectionary items.

(ii) However, the respondent is permitted to use the mark “MADHUR” for sugar.

11. All applications are disposed of.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

SEPTEMBER 23, 2025/rjd