



2026:DHC:280-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO (COMM) 87/2024, CM APPL. 29514/2024 & CM APPL. 44513/2025**

**SHYAM RASTOGI PROPRIETOR OF
SHYAM HOSIERY INDUSTRIES & ANR.Appellants**
Through: Mr. Chandra Prakash, Ms.
Aindri Sahu, Mr. Abhishek Chaterjee and
Mr. Abhinav Kumar, Advs.

versus

**HUGO BOSS TRADE MARK
MANAGEMENT GMBH AND CO KGRespondent**
Through: Mr. Anirudh Bakhru, Mr. Rishi
Bansal, Ms. Shruti Manchanda and Mr.
Abhigyan Pandey, Advs.

**CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**

ORDER (ORAL)

% **12.01.2026**

C. HARI SHANKAR, J.

1. Mr. Chandra Prakash, learned Counsel for the appellants seeks leave to withdraw this appeal.
2. The appeal is accordingly disposed of as withdrawn.
3. Mr. Chandra Prakash further submits that, against an order passed by the learned Commercial Court rejecting an application filed by the appellant for placing additional documents on record, CM(M)



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IPD 4/2026 is listed today before a learned Single Judge of Intellectual Property Division Bench of this Court. He has drawn our attention to paras 6 and 6.1 of the order dated 5 July 2024 in these proceedings, which read as under:

“6. Counsel for the appellants says that he would like to move an application for additional documents which would disclose that sale of hosiery products between 1996-1997 have been made by the appellants under the brand name/trademark “Big Boss” and “Big Boss Double Decker”.

6.1 If such an application is filed, this aspect will be examined on the next date of hearing.”

4. Inasmuch the present appeal is being disposed of as withdrawn, we clarify that the learned Single Judge would examine the appeal against the challenge to the dismissal of the application for additional documents on its own merit.

5. The appeal is disposed of in the aforesaid terms.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

JANUARY 12, 2026/AR