



2025:DHC:5175-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of decision: 02.07.2025*+ FAO(OS) (COMM) 105/2025  
GRINVO PRIVATE LIMITED AND ORS.

.....Appellants

Through: Mr.Dushyant K. Mahant, Adv  
versus

MICRO PRECESSION PVT. LTD .

.....Respondent

Through: Mr.D.D. Pandey, Mr.Abhishek  
Pandey & Ms.Vinita Gupta,  
Advs**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE RENU BHATNAGAR****NAVIN CHAWLA, J. (ORAL)****CM APPL. 36876/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

**FAO(OS) (COMM) 105/2025 & CM APPL. 36875/2025**

2. This appeal has been filed by the appellant, under Order XLIII Rule 1 of the Code of Civil Procedure, 1908 (in short, 'CPC') read with Section 13(1) of the Commercial Courts Act, 2015, challenging the Order dated 04.06.2025 passed by the learned Single Judge of this Court in I.A. No. 14558/2025 in CS (COMM) No. 596/2025, titled ***Micro Precession Pvt Ltd. v. Grinvo Private Limited & Ors.***, whereby an *ex parte ad-interim* injunction was granted in favour of the respondent and against the appellants in the following terms:

*"14. Accordingly, under such circumstances and keeping in view the aforesaid submissions made by Ms.Nandita Rao, learned senior counsel, this Court passes the following directions:-*



- a. The defendants, their agents, employees, or any person acting on their behalf, are, till the next date of hearing, restrained from using, reproducing, disclosing, distributing, or exploiting in any manner whatsoever, directly or indirectly, the plaintiff's confidential information, trade secrets, technical data, pricing strategies, proprietary designs and business knowhow in any manner to any third party.*
- b. The defendants are also restrained from operating under the name 'GRINVO PRIVATE LIMITED' or any entity using the plaintiff's misappropriated intellectual property, including but not limited to moulds, engineering components, and data sets."*

3. The learned counsel for the appellant submits that there were no pleadings, or even a prayer in the plaint, to support the relief of grant of an *ex parte ad-interim* injunction with respect to the corporate name of the appellants.

4. This submission is not denied by the counsel for the respondent, who submits that, upon realising this omission in the pleadings, the respondent has moved an application under Order VI Rule 17 of the CPC in the suit.

5. Admittedly, the said application has not been allowed as of date. In fact, the learned counsel for the appellant submits that he has not been served with any such application, let alone it being listed before the learned Single Judge.

6. Keeping in view of the above, the *ex parte ad-interim* injunction, insofar as it restrains the appellants from using the corporate name 'GRINVO PRIVATE LIMITED', cannot be sustained. The same is accordingly set aside. However, this shall in no manner prejudice the application stated to have been filed by the



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respondent, or the application seeking grant of such an injunction, if such a case is made out, before the learned Single Judge.

7. As far as the challenge to the *ad interim* injunction in terms of paragraph 14(a) of the impugned order is concerned, we are of the opinion that the appellants have an alternate efficacious remedy of moving an application under Order XXXIX Rule 4 of the CPC before the learned Single Judge, seeking recall of the said order.

8. We, therefore, dispose of this appeal by allowing the appellants to move an application under Order XXXIX Rule 4 of the CPC before the learned Single Judge in the above suit. In case such an application is filed, an advance notice of the same should be given to the learned counsel for the respondent, who would waive a formal notice of this application. The respondent shall file its response to the said application within a period of one week. The learned Single Judge shall endeavour to dispose of such an application, if filed, at the earliest.

9. With the above observations, the appeal and the pending application stand disposed of.

**NAVIN CHAWLA, J**

**RENU BHATNAGAR, J**

**JULY 2, 2025/rv/DG**

*Click here to check corrigendum, if any*