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

% *Date of Decision : 02.04.2026*

+ **FAO(OS) (COMM) 51/2026**

UTRACON STRUCTURAL SYSTEM PRIVATE LIMITED

.....Appellant

Through: Ms. Suriti Chowdhary, Ms. Abiha Zaidi, Ms. Arushi, Ms. Tanya Sharma, Mr. Pritam Raman Giriya and Mr. Ashish Bainsla, Advocates

versus

UTRACON CORPORATION PTE LTD & ORS.Respondents

Through: Mr. Abhishek Malhotra, Sr. Adv. with Mr. Himanshu Deora, Mr. Sukrit Kapoor, Ms. Shambhavi Sharma, Ms. Garima Singh, Mr. Samarth Kapoor, Mr. Divya Bhushan, Mr. Kartikay Dutta, Ms. Anukriti Trivedi and Mr. Harshit Raj, Adv.

+ **FAO(OS) (COMM) 52/2026**

UCON PT STRUCTURAL SYSTEM PRIVATE LIMITED

(FORMERLY UTRACON STRUCTURAL SYSTEM PRIVATE

LIMITED)

.....Appellant

Through: Mr. Siddhartha Iyer, Ms. Shreya Mathur, Adv.

versus

UTRACON CORPORATION PVT LTD & ORS.Respondents

Through: Mr. Abhishek Malhotra, Sr. Adv. with Mr. Himanshu Deora, Mr. Sukrit Kapoor, Ms. Shambhavi Sharma, Ms.



Garima Singh, Mr. Samarth Kapoor,
Mr. Divya Bhushan, Mr. Kartikay
Dutta, Ms. Anukriti Trivedi and Mr.
Harshit Raj, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO, J. (ORAL)

1. These appeals arise from orders passed by the learned Single Judge in I.A. 20676/2025 in CS (COMM) 661/2024. On 12.03.2026, this Court had limited the challenge in these appeals to the direction contained in paragraph 9 of the order dated 25.08.2025.

2. The appellants in FAO(OS) (COMM) 52/2026 herein are Defendant No.1 to 4, 6 & 7 in the suit and Defendant No.5 in FAO(OS) (COMM) 51/2026. The direction of the learned Single Judge in paragraph 9 of the order dated 25.08.2025 reads as under:

“9. In the meanwhile, the Defendants / Contemnors shall cease to use the domain name ‘www.ultraconindia.com’, the continued use of which constitutes a clear violation of the Injunction Order. Further, Defendant No.5 / Contemnor shall also cease using the name ‘Ultracon Structural Systems Private Limited’ as part of its corporate name and shall make requisite amendments in its records on the MCA Website within a period of two weeks.”

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3. The submission of learned counsel for the appellant in FAO(OS) (COMM) 52/2026 is that the appellant is within its right to use the following



logo UTRACON , though the contract between the appellant and the respondent/plaintiff has come to an end by efflux of time.

4. He also states that there is an arbitration clause which binds the parties and the appellant herein has filed an application under Section 11 of the Arbitration and Conciliation Act, 1996 (Act of 1996) before the Supreme Court. He also states that the appellant has also filed applications under Order VII Rule 10; Order VII Rule 11 of the Code of Civil Procedure, 1908 (“CPC”) and under Section 8 of the Act of 1996, which are pending consideration before the learned Single Judge.

5. In any case, he states the appellant has filed an application under Order XXXIX Rule 4, CPC seeking vacation of the interim order. He do concede to the fact that, in paragraph 7 of the order dated 27.11.2025, the submission of the learned senior counsel appearing on behalf of the defendants no. 1 to 4, 6 and 7 has been recorded to the extent that the defendants no 4, 6 and 7 are complying with the orders dated 07.08.2024 and 25.08.2024 and the website “www.ultraconindia.com” no longer redirects to Defendant No.1’s website. He also states, grievance is primarily with regard to the observation made in paragraph 8 of the order wherein it has been directed the appellant herein to file an affidavit that the statement as recorded in paragraph 5 of the order within two weeks.

6. He states that, such an affidavit must not be construed to mean that the appellant is accepting the stand of using the impugned logo.

7. On this the Court had observed, that the appellant can file the affidavit



without prejudice to its rights and contentions.

8. Mr. Abhishek Malhotra, learned Senior Counsel appearing for the respondents has no serious objection in that regard. In view of the aforesaid position, this appeal being FAO(OS) COMM 51/2026 stands disposed of, giving the liberty to the appellant to press all the applications filed before the learned Single Judge.

9. We take on record the submission of learned counsel for the appellant that pleadings in the above applications shall be completed on or before Saturday i.e. 04.04.2026.

10. The applications if any is also disposed of as having become infructuous.

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11. Insofar as, the above appeal is concerned, the grievance as urged by the learned counsel for the appellant is primarily that the impugned directions could not have been given for the simple reason that the appellant herein is using the trade name 'UTRACON' as the name of the company in the record of the Ministry of Corporate Affairs and there is no order restraining the usage as a trade name.

12. She states that in the ad-interim injunction order dated 07.08.2024 there was no direction to the Appellant for rectification or cessation of the Appellant's corporate name and therefore the Appellant is not in contempt of the said order. She states that the learned Single Judge in the impugned order has proceeded on an incorrect premise that there was any direction issued against the Appellant herein in the order dated 07.08.2024.

13. She states that, even otherwise learned Single Judge could not have granted the directions in an application filed under Order XXXIX Rule 2A



of the CPC without deciding the application under Order XXXIX Rule (1) & (2) of the CPC, for the simple reason, if the appellant was to implement the order in the manner directed it would mean that the same shall also include change in the trade name in the MCA record but if the application under Order XXXIX Rule (1) & (2) of the CPC is dismissed, the trade name shall get revived as UTRACON in the MCA record. According to her appropriate shall be that the order be kept in abeyance till the decision in the applications under Order XXXIX Rule (1) & (2); Order I Rule 10 and Order VII Rule 11, are decided.

14. Though, Mr. Malhotra contested the submission made by learned counsel for the appellant on merit, he states, till such time the applications filed by the appellant under Order I Rule 10 and also under Order VII Rule 11 and the application filed by the respondent under Order XXXIX Rule (1) & (2) are decided, without prejudice, he shall not precipitate/seek implementation of the order dated 25.08.2025 passed by the learned Single Judge. The submission is taken on record.

15. The counsel for the appellant states if the pleadings in the application required to be completed, the same shall be done on or before Saturday i.e., 04.04.2026.

16. The appeal is disposed of and the pending applications are also disposed of as having become infructuous.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

APRIL 02, 2026/rt