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

+ **CS(COMM) 245/2026**

**LAWRENCE SCHOOL SANAWAR SOCIETY** .....Plaintiff  
Through: Mr. Sudarshan Kumar Bansal, Mr.  
Amit Chanchal Jha and Ms. Nishtha  
Kapoor, Advocates.

versus

**MR SUBODH SINHA & ORS.** .....Defendants  
Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**ORDER**

% **16.03.2026**

**I.A. 6533/2026 (Additional Documents)**

1. The present application has been filed on behalf of the plaintiff under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 ('CPC') as applicable to commercial suits under the Commercial Courts Act, 2015 ('CC Act') seeking leave to place on record additional documents.
2. The plaintiff is permitted to file additional documents within thirty days, in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.
3. Accordingly, the application stands disposed of.

**I.A. 6534/2026 (Exemption)**

4. This is an application filed on behalf of the plaintiff under Section 151 of CPC seeking exemption from filing clear and true typed copies of the documents.
5. Exemption is allowed, subject to just exceptions. The clear and typed/translated copies of the documents with proper margins of the dim annexures be filed within four weeks with an advance copy to the defendants.
6. The application stands disposed of.



**I.A. 6535/2026 (Pre-Institution Mediation)**

7. This is an application filed by the plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the CC Act.

8. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of pre-institution Mediation is granted.

9. The application stands disposed of.

**I.A. 6536/2026 (Exemption from Advance Notice to Defendants)**

10. This is an application filed by the plaintiff under Section 151 of CPC seeking exemption from advance service to the defendants.

11. Mr. Sudarshan Kumar Bansal, learned counsel for the plaintiff seeks exemption from advance service to the defendants as the same may prejudice interest of the plaintiff.

12. In view of the fact that the plaintiff has sought an urgent *ex-parte ad-interim* injunction the exemption from advance service to the defendants is granted.

13. The application is disposed of.

**I.A. 6532/2026 (Order XXXIX Rules 1& 2, CPC)**

14. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of CPC, 1908 seeking *ex-parte ad-interim* injunction against the defendants.

15. It is the case of the plaintiff, that in the year 1847, the plaintiff school was founded by Sir Henry Lawrence. The plaintiff school in 1847 was known as the Lawrence Asylum, Sanawar which was re-designated in 1920 as Lawrence Royal Military School, Sanawar and in year 1949, under its present name of the Lawrence School, Sanawar. The plaintiff submits that as per the available records, sometime in about the year 1914 (circa), the plaintiff school



adopted and started using its highly artistic and distinctive insignia alongwith its motto “Never Give In” which is reproduced hereunder:-



Plaintiff states that the above motto embodies the spirit of Sir Henry Lawrence to pursue a task to its fullest, giving one’s best at all time. This motto finds prominence in the school song/anthem starting with the words “Never Give In is our motto”. The word/mark “SANAWAR” finds a proud mention in the plaintiff’s school song. In relation to its said services, the plaintiff has been using the mark “THE LAWRENCE SCHOOL, SANAWAR” to represent the school itself and it has been so used and referred to as a brand standalone.

16. Plaintiff claims that In June 1952, the Government of India through the Ministry of Education resolved to administer the plaintiff school through a society to be formed under the Societies Registration Act, 1860 and pursuant to the said resolution, the plaintiff society was formed and registered under the Societies Registration Act, 1860 with the object to take over from the Government of India and to carry on the management of the plaintiff school.

17. The plaintiff further states that in the year 1997 on the 150<sup>th</sup> Anniversary of the plaintiff school and in recognition of the services and standing of the plaintiff school, the Government of India introduced a Postal Stamp of Rs.3, specimen of which is reproduced hereunder:-








18. The plaintiff claims that the “LAWRENCE SCHOOL, SANAWAR”, is affiliated to and/or is associated with several foreign schools/universities/educational institutions from all over the world with whom it conducts student exchange programs and conferences such as Round Square Student Exchange Program, United World College of South East Asia, Standford Lake College, South Africa and several others.

19. The plaintiff states that is has obtained several trademark registrations including the word/mark the Old Sanawarian Society and the insignia bearing the same which are valid and subsisting under the Trade Marks Act, 1999, which are extracted hereunder:-

S No.	Registration No.	Date	Trademark	Class	Status	Disclaimer
1	3138910	24.12.2015	SANAWAR	41	Registered Upto 24.12.2035	NO
2	3138912	24.12.2015	THE LAWRENCE SCHOOL SANAWAR	41	Registered upto 24.12.2035	NO
3	3138914	24.12.2015		41	Registered upto 24.12.2035	NO
4	2743315	26.05.2014		41	Registered upto 26.05.2034	NO
5	4961940	01.05.2021		41	Registered upto 01.05.2031	-



6	3138909	24.12.2015	SANAWAR	16	Registered upto 24.12.2035	NO
7	3138911	24.12.2015	THE LAWRENCE SCHOOL SANAWAR	16	Registered upto 24.12.2035	NO
8	3138913	24.12.2015		16	Registered upto 24.12.2035	NO
9	4961939	01.05.2021		16	Registered upto 01.05.2031	-
10	3138905	24.12.2015	THE LAWRENCE SCHOOL	16	Registered upto 24.12.2035	NO
12	3138906	24.12.2015	THE LAWRENCE SCHOOL	41	Registered upto 24.12.2035	NO

S.No.	Regn.no.	Date	Trademark	Class	User Claim	Status
1	5411550	16.04.2022		16	01.04.1914	Registered upto 16.04.2032
2	5411551	16.04.2022		41	01.04.1914	Registered upto 16.04.2032

Plaintiff submits that the stylized and formative art works involved in



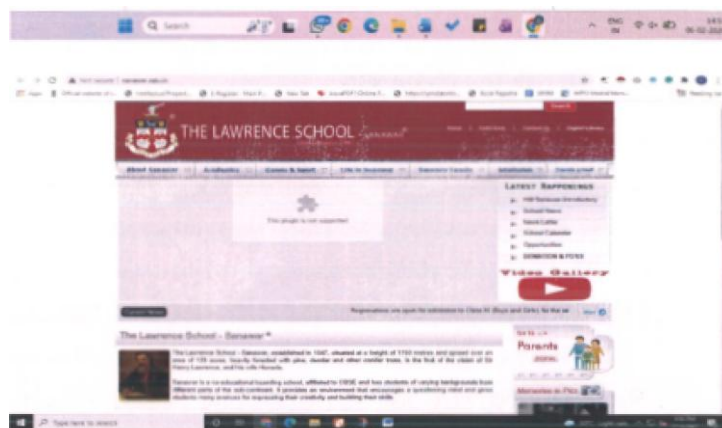
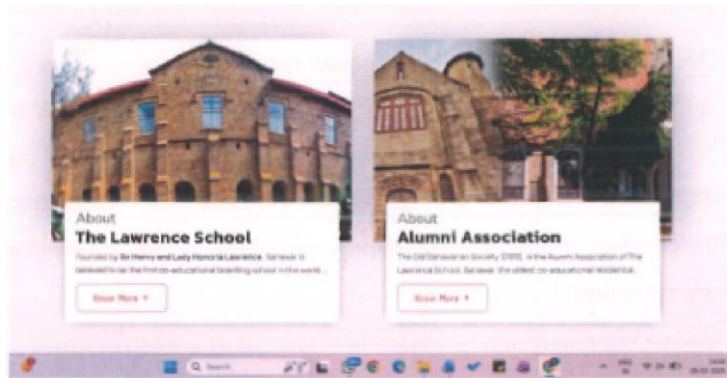
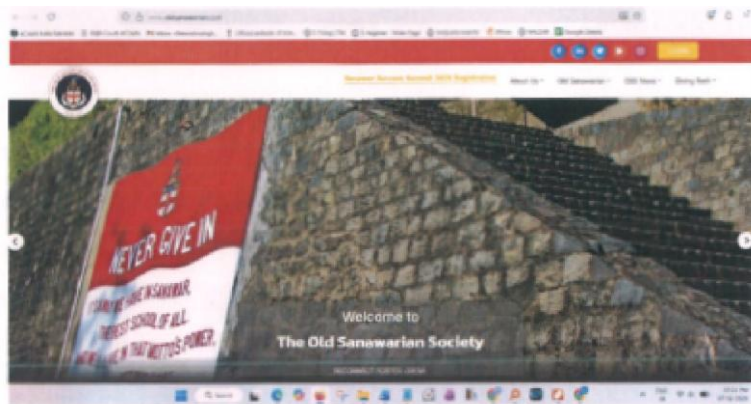
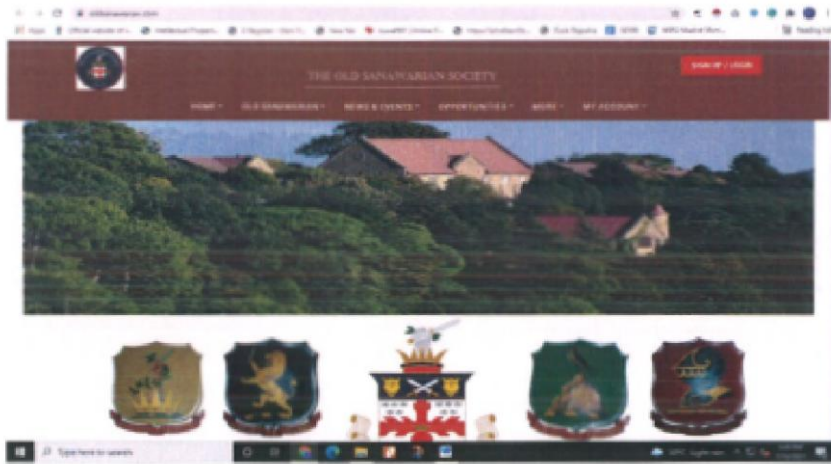
the aforesaid trademarks/logo are the original creation and artistic work, in which the plaintiff holds Copyright therein.

20. Plaintiff claims that it has been regularly and continuously conducting its said activities under the said trade mark and has acquired extensive goodwill and reputation through years and years of hard work, skill, labour which has been reflected in the visual, print and electronic media, in leading newspapers, trade literature and magazines, books, word of mouth, over the internet, etc. and all of which have tremendous reach, availability and circulation world over including in India.

21. Plaintiff further claims that the trademark “SANAWAR/ THE LAWRENCE SCHOOL, SANAWAR”, has acquired the status of trademark in a secondary sense. The students, teachers, parents, the trade and industry and public at large identify and distinguish the Plaintiffs services under the trademark SANAWAR/THE LAWRENCE SCHOOL, SANAWAR, solely with the Plaintiff and from the Plaintiffs source and origin alone and regard them of prestigious value, exclusively as that of the Plaintiff. By virtue of the aforesaid, the plaintiffs said trademark SANAWAR/THE LAWRENCE SCHOOL, SANAWAR has become well known within the meaning of well-known trademark as defined under Section (1)(zg) of the Trade Marks Act, 1999.

22. Plaintiff claims that is a going concern and has been regularly maintaining and auditing its accounts. The net income of the plaintiff for the period 01.10.1952 to 31.03.1953 as reflected in the income and expenditure account during this period was Rs.4,80,499.26; while for the financial year ending 31.03.2025, it was Rs.13,76,27,913.

23. Plaintiff states that it owns the domain names <www.sanawar.edu.in> and <www.oldsanwarian.com>, wherein the mark SANAWAR forms a material part. Screenshots from the websites are reproduced hereunder:-





Plaintiff claims that it had adopted a significant colour scheme of red and white as part of its aforementioned websites. The plaintiff's said significant colour scheme of Red and White and stylized representation thereof including of its trademark/trade names are original copyright works in which the plaintiff owns the copyright within the meaning of Indian Copyright Act, 1957.

24. Plaintiff submits that the defendant no.1, Mr. Subodh Sinha, is an educator. Defendant no.2 is a virtual/online entity, i.e. a Facebook page, officially claiming to be the Administrator of a Facebook Group, of which the plaintiff is aggrieved. Defendant no.2 is impleaded through its Administrators/ Operator/ Owner/ Manager/ Controller and also through Mr. Subodh Sinha, the defendant, who is its apparent Administrators/ Operator/ Owner/ Manager/ Controller. The defendant no.3, Mr. Ankit Kumar Gupta is the father of a minor student studying in the plaintiff school.

25. Plaintiff claims that sometime in the month of December, 2025, the plaintiff came across certain derogatory and defamatory posts forming part of the Group feed/discussion feed of the Facebook Group publicly available at the URL: <https://www.facebook.com/share/p/1AEngpXNGQ> hosted on the social media platform "Facebook", owned and operated by defendant no.4. Upon examining the said Facebook Group and its contents in greater detail, the following cause of corn arose for the plaintiff as enumerated in para 37 of the plaint, the same is extracted hereunder:-

*"i) The impugned Facebook group, "The Lawrence School Sanawar Alumni", claims to be administrated and moderated by a Facebook Page in the name of IPSC & Indian Top Schools Alumni- (IITSA), being defendant No.2 in the present suit.*

*ii) All posts uploaded on the impugned Facebook group require the prior approval of the defendant no. 2.*



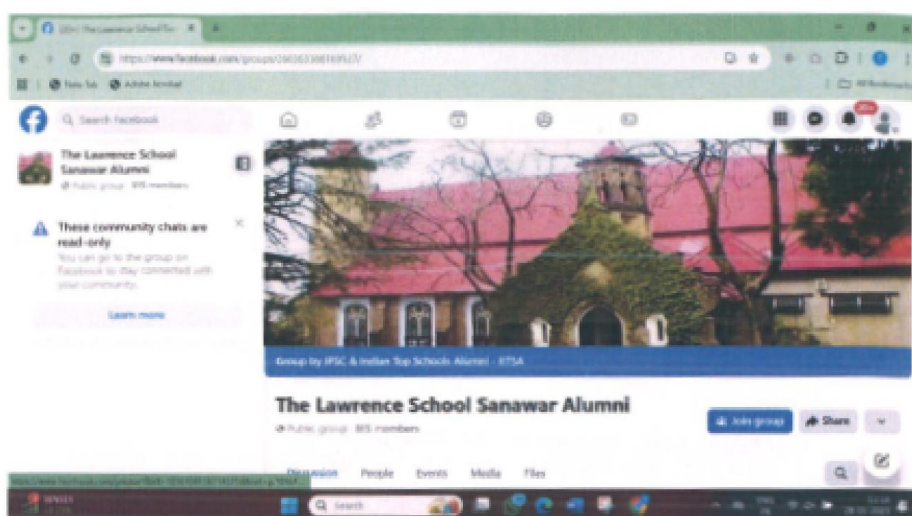
iii) Shockingly, members are added by defendant no. 2 to the impugned Facebook Group without any verification as to whether they are indeed alumni of The Lawrence School, Sanawar.

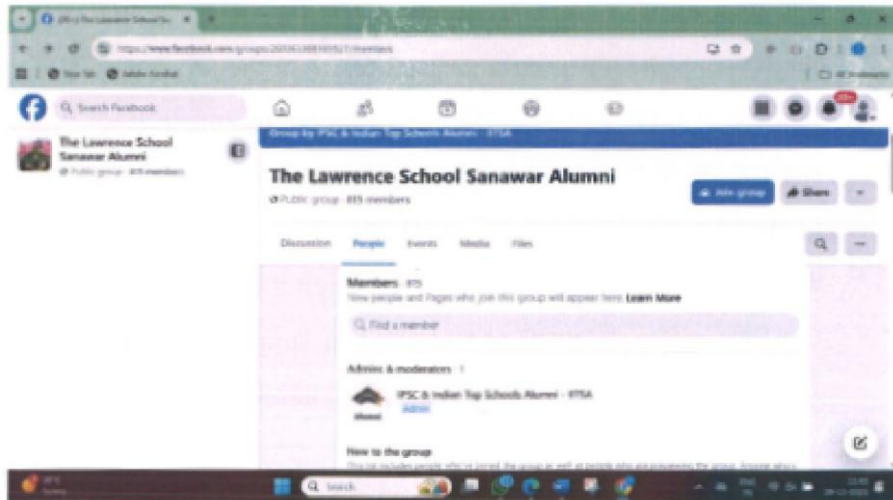
iv) Use of the caption "Group by IPSC & Indian Top School Alumni - IITSA".

v) Creation of a meta-tag and hyperlink connecting the IITSA Facebook Page to the official website of the Indian Public-School Conference (IPSC) i.e. [www.ipsc.co.in](http://www.ipsc.co.in). even though it has no affiliation with the IPSC.

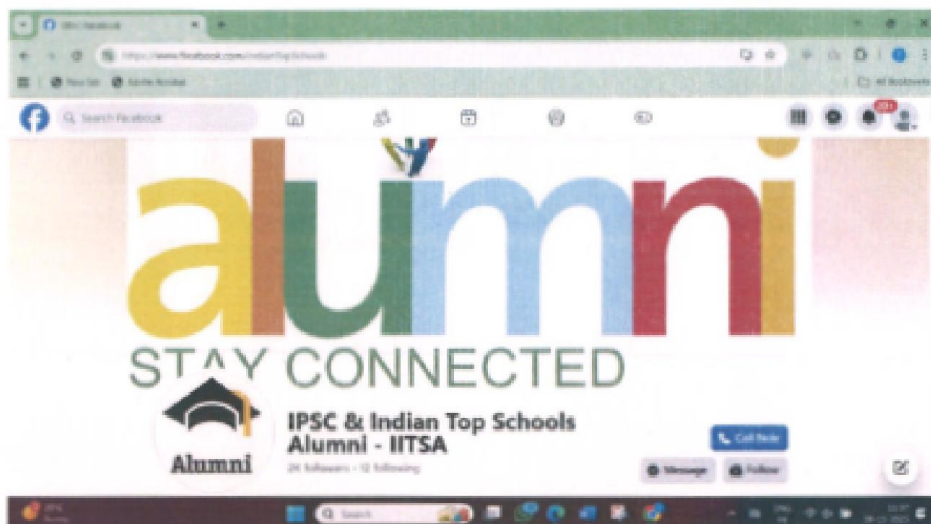
vi) Uploading of posts by several persons claiming to be members of the impugned Facebook Group, including some defamatory posts dated 26.11.2025 by one Mr. Ansh Gupta (Son of Mr. Ankit Kumar Gupta), a student of the school."

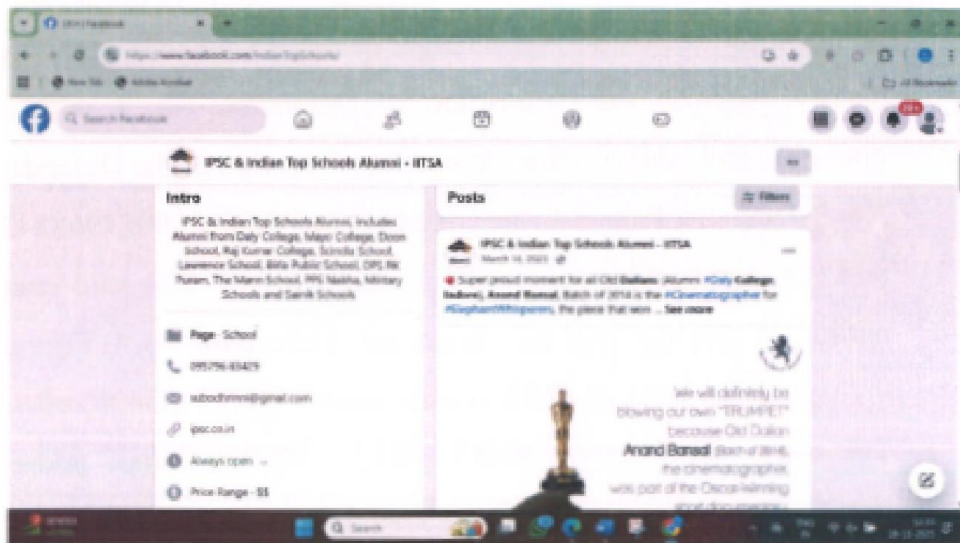
26. Plaintiff claims that aggrieved thereby, it was constrained to make an inquiry which revealed that i) the impugned Facebook group, "The Lawrence School Sanawar Alumni", claims to be administrated and moderated by a Facebook Page in the name of IPSC & Indian Top Schools Alumni- (IITSA), (hereinafter referred to as the IITSA Facebook Page) being Defendant No.2 in the present suit; ii) All posts uploaded on the impugned Facebook group require the prior approval of the Defendant no. 2; iii) Shockingly, members are added by Defendant no. 2 to the impugned Facebook Group without any verification as to whether they are indeed alumni of The Lawrence School, Sanawar. Screenshot as enumerated in para 38 of the plaint is extracted hereunder:-



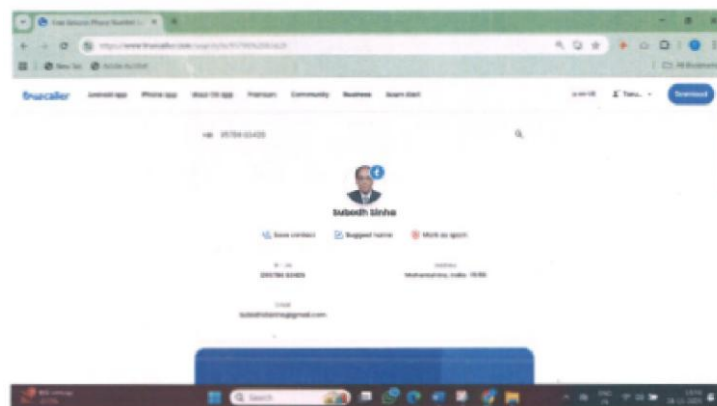


27. Plaintiff further claims that the defendant no.2 i.e. the IITSA Facebook page, bears a Facebook page ID: 497186985253, and in its introduction (Intro/Profile), claims to be a 'Page' (wrongly styled as a School Page in its description) representing the Alumni of the top Indian Schools and the schools which are the members of the prestigious “Indian Public Schools Conference (IPSC)” and, as already submitted, also wrongfully hyperlinks and/ or metatags to the official website of IPSC i.e. [www.ipsc.co.in](http://www.ipsc.co.in) even though it has no affiliation with the IPSC. The relevant screenshots in support thereof as enumerated in para 39 of the plaintiff, are reproduced hereunder:-





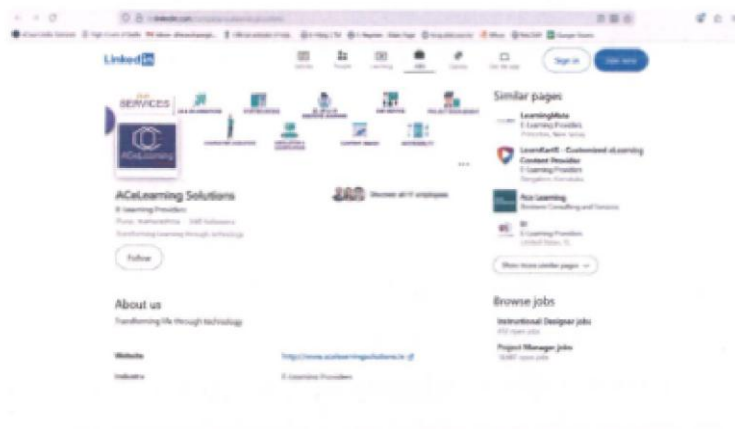
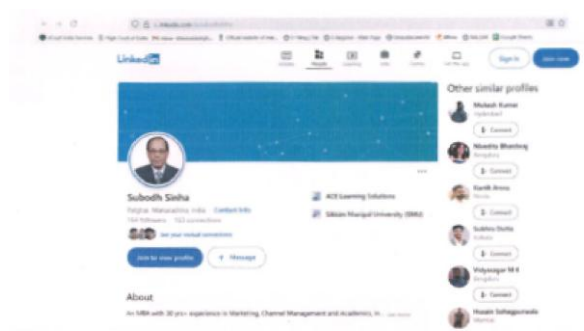
28. Plaintiff claims that defendant no.1, Mr. Subodh Sinha, is the owner, operator, manager and administrator of the defendant no.2 Facebook Page titled “IITSA” and the Facebook groups operated thereunder, including the impugned facebook group “The Lawrence School Sanawar Alumni”. The “About/Intro” section of the defendant no.2/Facebook Page lists the contact phone number 09579683429 and the email address *subodhrinni@gmail.com*. The said email address is linked to and associated with defendant no.1. Further, an independent search of the phone number 09579683429 reflects the name Mr. Subodh Sinha along with the email address *subodhsinha@gmail.com*, as enumerated in para 40 of the plaint, the same is extracted hereunder:



29. Plaintiff further claims that the Defendant no. 1 claims to be a former

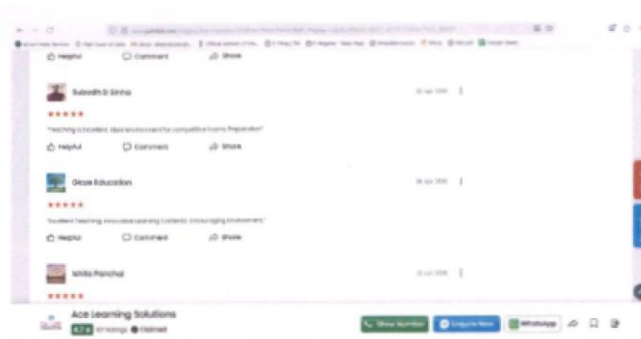
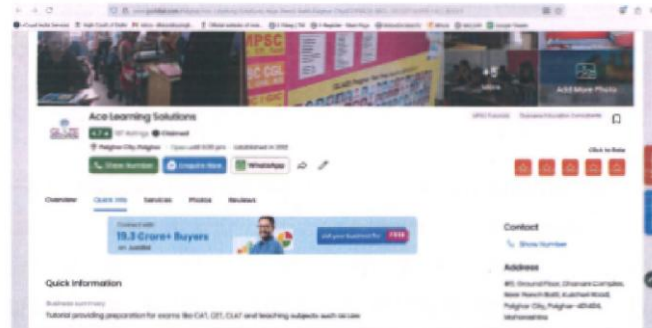


student of Daly College, Indore (Madhya Pradesh) and is currently engaged in activities related to education and educational placements, in Palghar district of Maharashtra. Significantly, both “The Lawrence School Sanawar” as well as the aforesaid Daly College, Indore are members of “Indian Public Schools Conference (IPSC)”, which has within its fold over eighty prime schools of the country as its members. Further enquiries of the Plaintiff revealed the linkedin profile of defendant no. 1, Mr. Subodh Sinha where he claimed to be employed at Ace Learning Solutions and being based in Palghar. The screenshot as enumerated in para 41 of the plaintiff is as follows:





[https://www.judicial.com/Palghar/Ace-Learning-Solutions-Near-Panch-Batti-Palghar-City/022PXX22-XX22-121121135910-T3C2\\_BZDET](https://www.judicial.com/Palghar/Ace-Learning-Solutions-Near-Panch-Batti-Palghar-City/022PXX22-XX22-121121135910-T3C2_BZDET)



Plaintiff states that from the aforesaid screenshot, defendant no.1, Mr. Subodh Sinha, has posted a positive review on the relevant webpage in respect of “Ace Learning Solutions”. The said circumstance, read together with the other material on record indicated an association of defendant no.1 with the said establishment.

30. Plaintiff submits that the defendants no. 1 & 2 are engaged in the same /similar services as that of the plaintiff and of its sole and recognised alumni association, namely "The Old Sanawarian Society". The defendants in relation to their impugned services are using the trademark/trade name “The Lawrence School Sanawar” and trademark/trade name “The Lawrence School Sanawar Alumni”, as its essential feature. The defendants are also using the representation of the iconic Church building of the School and other images of the plaintiff school.

31. Plaintiff submits that the Defendants no. 1 and 2 malafidely, fraudulently and



out of positive greed adopted and started using the impugned trademark / trade name to trade upon the immense goodwill and reputation enjoyed by the Plaintiff, including in the plaintiffs said trademark / trade name.

32. The plaintiff claims that the Facebook post dated 26.11.2025, uploaded and published on the impugned Facebook group <<https://www.facebook.com/groups/260363388169527/>> operated and administered by defendant nos. 1 & 2, appears in the name of Mr. Ansh Gupta, who is stated to be a minor and the son of defendant no.3 and is presently a student of the plaintiff school. The plaintiff, on the basis of the surrounding circumstances, the nature of the allegations and the manner of publication, reasonably believes that the said post was in fact authored, caused to be published and circulated by defendant no.3, using the account/profile of his minor son as a front/guise. Plaintiff states that the defendant no.3 is responsible for the authorship and publication of the said defamatory material. The derogatory allegations against the plaintiff school as enumerated in para 55 of the plaint, are extracted hereunder:-

- *That the plaintiff school, The Lawrence School, Sanawar has no control on children bullying kids.”*
- *That despite children leaving the school, “no measures are taken to stop bullying.”*
- *That “Kids are always under fear of getting beaten up by seniors.”*
- *That complaining students are “isolated and called a Tatler.”*
- *That if a child retaliates, he will be “bashed black n blue by all seniors.”*
- *That the system is so flawed that “the child loses faith & trust in the system.”*
- *That “Children are woken up in middle of night and beaten up.”*
- *That seniors give “Drills ... to get up in middle of night change to different school uniforms.”*
- *That a system exists where “Two children are to stay awake every night on rotation to guard” for seniors.*
- *That there is widespread “Hitting and physical abuse.”*
- *That the school’s activities are “all a waste.”*



- *That the school's inaction is causing "children ... leaving the school and the word is spreading."*

Plaintiff claims that the defamatory statement made above are because of an FIR filed against the defendant no.3 on his wilful misconduct.

33. Plaintiff submits that the school is one of the oldest and most reputed public schools in the country and enjoys a nationwide reputation among students, parents, alumni and members of the public. The impugned publications expressly refer to and name the plaintiff school and were viewed and engaged with by such third parties who are familiar with and capable of identifying the plaintiff school. Upon reading the said statements, such persons/ third parties understand them as referring to the plaintiff, and the statements have lowered the reputation of the plaintiff in their estimation, thereby causing serious and continuing injury to the plaintiff's goodwill, standing and reputation.

34. Predicated upon the above, the plaintiffs seek an *ex-parte ad-interim* injunction and other reliefs.

35. Having heard Mr. Sudarshan Kumar Bansal, learned counsel for the plaintiff, perusing the pleadings and the documents on record, it appears that an *ex-parte ad-interim* injunction would be in order. The plaintiff has made out a *prima facie* case in its favour. The plaintiff appears to be the registered proprietor of the trademarks "SANAWAR" and "THE LAWRENCE SCHOOL, SANAWAR" and has been using the same continuously and extensively since 1914. The plaintiff owns the domain names <www.sanawar.edu.in> and <www.oldsanwarian.com>, wherein the mark "SANAWAR" forms a material and distinctive part, further evidencing the plaintiff's exclusive proprietary rights and established digital presence under the said trademark. The header of the said website bears the plaintiff's



distinctive circular logo/insignia i.e. depicted in dark navy/black, featuring a central emblematic design with the school's heraldic imagery enclosed within a circular border which is consistent with and forms part of the plaintiff's registered trademarks. The website further displays in its lower section the five distinctive House Shields/Crests of the plaintiff school rendered in their respective colours namely gold/olive, dark green, red and white, green, and maroon each bearing unique heraldic devices as extracted in paragraph 23 hereinabove, which claims to be the original artistic works in which the plaintiff holds copyright. The plaintiff is an institution of over 175 years standing, with a nationwide and international reputation built over generations, and any continued use of its trademark and trade name by the defendants, along with the circulation of the impugned defamatory posts, would cause irreparable injury to the plaintiff's goodwill and reputation, which cannot be adequately compensated in monetary terms. The balance of convenience also tilts in favour of the plaintiff and against the defendants. If the injunction is not granted, the plaintiff would suffer irreparable loss of goodwill, reputation and monetary loss on account of prospective students, parents and well-wishers, who may be misled into associating the impugned Facebook group and the defamatory content therein with the plaintiff school.

36. Accordingly, the following directions are passed:

- a. Defendant nos.1 and 2, their individual directors partners, principal officers, agents, heirs, successors and all others acting for and on their behalf are restrained from using the word/mark "THE LAWRENCE SCHOOL SANAWAR" and "THE LAWRENCE SCHOOL SANAWAR ALUMNI" as a trademark/ trade name, domain name, or



as a material part thereof; or any other trademark/ trade name/ domain name deceptively similar to the plaintiff's trademark/trade name/ domain name, including by way of displaying, publishing, promoting, advertising or in any other manner or mode dealing in including online or otherwise.

- b. Defendant nos.1 and 2, their individual directors partners, principal officers, agents, heirs, successors and all others acting for and on their behalf are restrained from using the photographs, depictions, representations or visual imagery of the plaintiff's campus, buildings, church, insignia, crest, trade dress or other distinctive elements of its institutional identity in relation to its services of operating and administering an online platform representing itself as an alumni forum of a School, as also the providing of educational and placement related services, including teaching, tutorials, academic coaching, examination preparation and e-learning, along with ancillary and incidental services in connection therewith including stationary, publicity literature, and all other paraphernalia connected therewith and goods/services of allied/cognate nature and from doing any other acts and deeds.
- c. Defendant nos. 1, 2 and 3, by themselves as also through their respective directors, partners, administrators, officers, members, agents, representatives, servants, employees and all other persons acting for or on their behalf are restrained from publishing, republishing, circulating, hosting, endorsing, approving, transmitting or otherwise disseminating, whether directly or indirectly, any false, defamatory, disparaging, libelous or malicious content, including posts, comments, statements, images, videos or other material, in any manner whatsoever, whether online or otherwise, concerning the plaintiff and/or the plaintiff's School, including on social media platforms, websites or digital media, including but not limited to the impugned



Facebook post, dated 26.11.2025, or any other similar content, which has the effect of lowering the reputation, goodwill and standing of the plaintiff and its School in the eyes of members of the public; and further directing the defendants Nos. 1, 2 and 3 to immediately delete/ withdraw the impugned Facebook post, dated 26.11.2025, and/ or any other such posts not within the knowledge of the plaintiff.

- d. Defendant no.4/Meta Platforms Inc. is directed to forthwith take down, disable access to, block and remove the impugned defamatory and infringing content, including the Facebook post dated 26.11.2025, and any other similar related posts, comments or material published on the impugned Facebook group, page or any other Facebook property under the control of defendant nos. 1 to 3, which concern or relate to the plaintiff and/or the plaintiff's school.

37. If any further websites are discovered by the plaintiff, the plaintiff is at liberty to communicate the details of such websites, including their domain names and URLs to defendant no.4/Meta Platforms Inc. Upon receiving such information alongwith supporting evidence, defendant no.4/Meta Platforms Inc. is directed to forthwith lock or suspend the newly discovered websites and defendant no.4/Meta Platforms Inc are directed to immediately block access to the said websites.

38. Issue notice.

39. Let a reply to this application be filed by the defendants within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

40. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten (10) days from date.

**CS(COMM) 245/2026**

41. Let the plaint be registered as a suit.

42. Upon filing of the process fee, issue summons of the suit to the



defendants through all permissible modes.

43. The summons shall state that the Written Statement shall be filed by the defendants within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendants shall also file Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

44. Liberty is granted to the plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an Affidavit of Admission/Denial of the documents of defendants be filed by the plaintiff, without which the Replication shall not be taken on record.

45. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

46. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

47. List before the Joint Registrar (Judicial) on 20.05.2026 for completion of service and pleadings.

48. List before the Court on 07.09.2026.

**TUSHAR RAO GEDELA, J**

**MARCH 16, 2026/rl**