



\$~43

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

# **CNR No. DLHC010382232026**

+ **FAO(OS) (COMM) 218/2026**

**M/S NOTOFIRE PVT LTD & ANR.**

**.....Appellants**

Through: Mr. Chander M. Lal Sr. Adv. with  
Mr. Piyush Kalra, Mr. GS Arora, Ms.  
Ananya, Mr. Ankit Rajput and Mr.  
Nishank Bhardwaj, Advs.

versus

**M/S HONEYWELL INTERNATIONAL INC. & ANR.**

**.....Respondents**

Through: Mr Sandeep Sethi, Sr. Adv. with Mr.  
Pravin Anand, Ms. Vaishali R Mittal,  
Mr. Siddhant Chamola, Mr. Shivang  
Sharma, Ms. Shreya Sethi and Mr.  
Krisna Gambhir, Advs.

**CORAM:**

**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

**% 18.08.2026**

**CM APPL. 54938/2026 (Exemption)**

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

**FAO(OS) (COMM) 218/2026 & CM APPL. 54939/2026**

3. This appeal lays a challenge to the ex-parte ad-interim injunction



order dated 30.07.2026 passed by the learned Single Judge in the application under Order XXXIX Rules 1 and 2 read with section 151 of the Code of Civil Procedure, 1908, (“CPC”) whereby the learned Single Judge has restrained appellants herein in terms of prayer 48(a)(ii), (b) and (d) as extracted in the impugned order till the next date of hearing i.e., 03.11.2026.

4. Various submissions have been made by Mr. C.M. Lall, learned Senior counsel for the appellants which also includes that the advance copy of the suit was not served to the appellants. He contends that a rectification application being CO(COMM.IPD-TM) 197/2026 was filed by the respondent, in respect to the trademark being registered in the name of the appellant, in July, 2026 and was taken up for hearing by the learned Single Judge on 07.07.2026. He states that appellants had duly appeared in the said hearing and identical interim relief sought in I.A. 17090/2026 was denied to the respondent, by the Court, on the said date. He states that grant of an ex-parte injunction on 30.07.2026 in identical facts, without granting a hearing to the appellants or referring to the order dated 07.07.2026 was therefore not made out. He states that the appellant strongly oppose the contention of the respondent that it learnt about the appellant’s impugned mark in May, 2026. He states that there is sufficient evidence available in the public domain evidencing the competing use of the marks by the parties since 2022. He states that petitioner has ongoing contracts with government institutions and the effect of the impugned ex-parte injunction is that the petitioner cannot service the said contracts, thereby exposing it to liabilities from the clients. He states that the injunction also has the effect of restraining the appellant from using its corporate name, bank accounts, statutory registrations under



GST etc.

5. In reply, Mr. Sandeep Sethi, learned Senior counsel for the respondents submits that the advance copy of the suit paper-book was served on the e-mail of the appellants as available on the MCA website. He states that the appellants chose to remain absent and therefore, the no grievance can be raised in regard to advance service. He fairly submits that the advance service upon the appellant in CO(COMM.IPD-TM) 197/2026 was made on the trademark agent as per the Rules, which is distinct from the service in the suit. He disputes the submission on merits.

6. Having heard the learned senior counsel of the parties for some time and having perused the impugned ex-parte ad-interim order, we are of the view that, appropriate shall be that the parties approach the learned Single Judge for a fresh hearing in the application under Order XXXIX Rules 1 and 2 read with section 151 of the CPC. We grant time to the appellant to file its reply by tomorrow i.e., 19.08.2026 and direct the respondent to file its rejoinder by day after tomorrow i.e., 20.08.2026, so as to enable the learned Single Judge decide the application Order XXXIX Rules 1 and 2 read with section 151 of the CPC, after hearing the parties.

7. Till such time the learned Single Judge considers the application I.A. 19584/2026 under Order XXXIX Rules 1 and 2 read with section 151 of the CPC on the date of hearing i.e., 21.08.2026, the impugned order dated 30.07.2026 shall remain in abeyance.

8. We may clarify that the learned Single Judge after hearing the learned counsel for the parties, shall be within its right to continue the interim order



or otherwise. We clarify that this order has been passed with the consent of the parties. The parties have agreed to the strict timeline set down for completion of pleadings in the injunction application and the parties are directed to adhere to the same so as to enable the learned Single Judge to decide the application.

9. The Registry is directed to list the suit i.e., CS(COMM) 786/2026 before the Ld. Single Judge on 21.08.2026.

10. In view of the above, the appeal is disposed of. Pending application is also disposed of as become infructuous.

**V. KAMESWAR RAO, J**

**MANMEET PRITAM SINGH ARORA, J**

**AUGUST 18, 2026/rk**