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

+ W.P.(C) 562/2019

DUFLON INDUSTRIES PRIVATE LIMITED Petitioner

Through: Mr Amit Goel, Advocate.

versus

THE REGIONAL DIRECTOR NORTHERN
REGION & ANR.

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **21.01.2019**

CM No. 2555/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 562/2019

2. The petitioner has filed the present petition, *inter alia*, impugning an order dated 27.08.2018 passed by the respondent no.1 (Regional Director, Northern Region, Ministry of Corporate Affairs) under Section 16(1)(a) Companies Act, 2013, whereby the petitioner's application for directing change of name of respondent no.2 was rejected.

3. The petitioner had filed the aforesaid application contending that the corporate name of respondent no.2 – Druflon Electronics Private Limited – too nearly resembles the corporate name of the petitioner and, therefore, is undesirable for any company to have such name. This contention has been repelled by respondent no.1 as in his view, the corporate name of respondent

no.2 and petitioner does not too merely resemble each other.

4. It is also relevant to note that respondent no.2 was incorporated in the year 2004, which is more than 14 years ago. Further, the corporate name of the petitioner at the material time was “Duflon Polymers Private Limited”. The petitioner had changed its name in the year 2010 to its present name – Duflon Industries Private Limited. Even, at that stage, the petitioner had not raised any objection with regard to the corporate name of respondent no.2.

5. Apart from the phonetic similarity of the word ‘Duflon’ with the word ‘Duflon’, which forms a part of the petitioner’s corporate there is no similarity between the two corporate names; whereas the second word in the corporate name of the petitioner is ‘Industries’, the second word in the corporate name of respondent no. 2 is ‘Electronics’, which is the completely different in the case of the respondent. In any view, the corporate name must be read as a whole and not in the parts. Viewed in its entirety, the name of respondent no.2 does not resembles the name of the petitioner.

6. This Court finds no infirmity with the impugned decision of respondent no.2. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

JANUARY 21, 2019
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