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

+ **CS(COMM) 461/2025, I.A. 11995/2025 & I.A. 15292/2025**

HERO INVESTCORP PVT LTD AND ANRPlaintiffs

Through: Mr. Kunal Khanna, Mr. Yashveer
Singh, Advocates

versus

ASHOK KUMAR (JOHN DOE)Defendant

Through: Mr. Pankaj Thareja, Advocate

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 09.10.2025

I.A. 15292/2025(application for impleadment of proposed defendant)

1. This is an application under Order I Rule 10 Code of Civil Procedure, 1908 ('CPC'), filed by the plaintiffs for impleadment of proposed defendant as necessary and proper party to the suit.
2. Learned counsel for the plaintiffs' states that this suit was initially filed against an unknown entity and during the course of the local commission, the identity of the owner/occupier of the premises mentioned in the memo of parties has been identified as Mr. Anil Kumar Chabbra.
3. He states that he seeks liberty therefore, to implead Mr. Anil Kumar as the sole defendant in these proceedings.
4. For the reasons recorded in the application, the application is allowed.
5. Mr. Anil Kumar Chabbra, is hereby impleaded.
6. Amended memo of parties is taken on record.

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7. Mr. Pankaj Thareja, Advocate has entered appearance on behalf of the defendant, Mr. Anil Kumar Chabbra. He is directed to ensure that his



Vakalatnama is brought on record within one (1) week.

8. He states that defendant does not deal with any goods which bear the plaintiffs' brand/marks 'HERO'.

9. He states that even when the Local Commission was executed on 21.05.2025, no infringing product and/or packaging material was found at the premises of the defendant.

10. He therefore prays that the present suit may be disposed of.

11. Learned counsel for the plaintiff states that in view of the Local Commissioner's report dated 25.08.2025, the plaintiff does not wish to proceed with this matter against the newly impleaded defendant, Mr. Anil Kumar Chabbra.

12. In view of the aforesaid submission of the plaintiff and the newly impleaded defendant as well as the Local Commissioner's report, this Court is satisfied that the plaintiff has no cause of action against the said defendant.

13. Accordingly, the suit is disposed of, with no order as to costs.

14. The defendant is bound down to his statement as recorded hereinabove at paragraph no. 8.

15. Pending applications, if any, stand disposed of.

16. All future dates stand cancelled.

17. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 9, 2025/msh/mt/IB