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

+ **CONT.CAS(C) 907/2024**

SUN PHARMACEUTICAL INDUSTRIES LTDPetitioner

Through: **Mr. Sachin Gupta and Mr. Rohit Pradhan, Advocates.**

versus

AMAGEN PHARMA P LTD & ORS.Respondents

Through: **Ms. Shravya Pathak, Advocate.**

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

15.10.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 215 of the Constitution of India, 1950 read with Sections 11/12 of the Contempt of Courts Act, 1971, seeks following prayers:-

“i. Initiate contempt proceedings against the alleged Contemnors of Final Judgement dt. 20.09.2023 passed by the Ld. Single Judge of this Hon’ble court in *Sun Pharmaceutical Industries Ltd. v. Amit Kumar Proprietor of M/s. Amagen Remedies & Ors., CS (COMM) 457/2023*;
ii. Summon the said Contemnors in person before this Hon’ble Court to account for their wilful act of contempt;
iii. Direct arrest of the Contemnors for non-compliance and wilful disobedience of Judgement dt. 20.09.2023 and abuse of procedure of law;
iv. Freeze the bank accounts of the Contemnors for non-compliance and wilful disobedience of Judgement dt. 20.09.2023; v. Pass an Order for costs/appropriate fine in the present proceedings in favour of the Petitioner;
vi. Pass such other or further order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case, in favour of the Petitioner and against the Contemnors/Respondents.”



3. The present petition has been filed alleging wilful disobedience of order dated 20.09.2023 passed in CS(COMM) 457/2023 passed by a learned Coordinate Bench of this Court.
4. *Vide* the aforesaid order, respondents were permanently enjoined from using the mark KRISMA, KRISMA-35, KRISMA-L, and CRISNA-L, or any other mark which is identical or deceptively similar to the petitioner's registered trademark, 'KRIMSON' (including KRIMSON 35).
5. *Vide* order dated 29.05.2024, the learned Predecessor Bench of this Court had sought compliance report.
6. Compliance affidavit dated 16.04.2025 has been filed on behalf of respondent No. 3, in which, it is stated as under:-

“4. I say that immediately upon receipt of the contempt petition and learning of the Hon'ble High Court's Judgment and Final Order dated 20.09.2023, Respondent No. 3 took all *bona fide* steps to ensure compliance with the said order.

5. I say that the Respondent has discontinued the marketing and promotion of the pharmaceutical product previously branded as "KRIZMA-35" and has adopted a new and distinct mark, "AILSNEXT-35", with completely different packaging, design, and trade dress.

6. I say that Respondent No. 3 no longer holds any stock of the product bearing the mark "KRIZMA-35". All promotional materials, packaging, and references to the said product have been withdrawn and discontinued.

7. I say that photographs of the new packaging under the name "AILSNEXT 35" are annexed hereto as ANNEXURE 3 and will be submitted for the perusal of this Hon'ble Court on the next date of hearing, that is on 11th July 2025.”

7. Learned counsel appearing on behalf of the petitioner submits that



some of the products of the earlier brand are available on the portal 'timesmed.com'.

8. Learned counsel appearing on behalf of respondent No. 3 ensures that necessary communication will be sent to the concerned portal to remove the brands from their portal. This statement is taken on record.

9. In view of the above, learned counsel appearing on behalf of the petitioner does not wish to press the present petition and seeks liberty to revive the same in case of further non-compliance.

10. Liberty granted.

11. The present petition is disposed of as not pressed.

12. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

OCTOBER 15, 2025/sn