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

+ **CS(COMM) 883/2023 with I.A. 25022-25023/2023, I.A. 11024/2024,
I.A. 44765/2024 & I.A. 3309/2025**

BODY CUPID PVT LTD

.....Plaintiff

Through: **Mr. Dhruv Anand, Ms. Udit Patro,
Ms. Sampurna Sanyal, Ms. Nimrat
Singh and Mr. Dhananjay Khanna,
Advocates**

versus

MS VBRO SKINCARE PVT & ORS.

.....Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

24.03.2025

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1. Pursuant to the order passed by this Court on 16th January 2025, an application under Order I Rule 10 of the Code of Civil Procedure, 1908 (I.A. 3309/2025) was filed on behalf of the plaintiff seeking to implead Ayuu Health Care as a defendant in the present suit. Notice was issued in the aforesaid application by the Joint Registrar *vide* order dated 7th February 2025.

2. Pursuant to the aforesaid application, an affidavit dated 21st March 2025 on behalf of the proposed defendant Ayuu Health Care was received by the plaintiff and the same has been placed on record. The relevant extracts from the said affidavit are set out below:

“3. I say that M/s. Herbocare i.e., the Defendant No. 4 in the present suit used to operate out of the address- No. 3, Thakorbhai Industrial Estate, HerbalVelCare, Abrama, Valsad, Gujarat -



396001, around 4-5 years back. I say that I was a Partner in the said entity. However, the operations of this entity were shut around 4-5 years ago. Thereafter, sometime in 2017, I started the entity - Ayuu Health Care which conducts its operations from the same address.

4. I say that the operations of Ayuu Health Care has no connection with the operations of M/s. Herbocare was involved in (since M/s. Herbocare have already been closed by me 4-5 years ago). Ayuu Health Care has never been involved in the manufacture of the impugned goods, particularly products being sold under the mark



, 'WQVV' or under the brand 'VBRO' and will not engage in any such activity in the future."

3. Counsel for the plaintiff submits that in view of the aforesaid affidavit, the plaintiff does not press for reliefs against the defendant no.4. Further, the plaintiff does not seek to implead Ayuu Health Care as a defendant in the present suit.

4. To be noted, the plaintiff and the defendants no.1, 2 and 3 have settled their dispute and the suit has already been decreed in favour of the plaintiff and against the defendants no.1, 2 and 3 in terms of the prayer clause contained in paragraph no.61(a) to (e) of the plaint *vide* order passed by this Court on 30th September 2024.

5. Accordingly, no further orders are required to be passed in the suit and the present suit is disposed of.

6. All pending applications stand disposed of.

AMIT BANSAL, J

MARCH 24, 2025

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