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

+ **CS(COMM) 1129/2025 & I.A. 26128/2025 I.A. 26129/2025 I.A. 26130/2025 I.A. 26131/2025**

PARLE PRODUCTS PVT. LTD. & ANR.Plaintiffs

Through: Mr. J. Sai Deepak, Sr. Adv., with Mr. N.K. Bharadwaj, Mr. Neeraj Bharadwaj, Mr. Bikash Ghorai, Mr. Rahul Maratha Mr. Sahil Oberoi, Advs.

versus

PEPPE NUTRITIONS PVT LTD & ORS.Defendants

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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17.10.2025

CS(COMM) 1129/2025 & I.A. 26128/2025 I.A. 26129/2025 I.A. 26130/2025 I.A. 26131/2025

1. Learned counsel for the plaintiff seeks liberty to withdraw the present suit and file a fresh suit on the same cause of action after making full disclosure of the facts pertaining to the opposition proceedings pending between the parties and the business activities of the defendant, which are known to the plaintiff with respect to the products and the impugned mark.
2. In addition, learned counsel for the plaintiff seeks permission to utilize the Court fee certificate deposited in these proceedings for the fresh suit proposed to be filed.



3. The suit is dismissed as withdrawn with liberty reserved. It is further directed that in case the plaintiff elects to file a fresh suit, it will serve an advance copy of the suit on the defendant in accordance with Rules, atleast one week (1) in advance. In view of the fact that the suit has been withdrawn on the first date of listing, it is directed that the plaintiff will be at liberty to utilize the Court fees certificate filed in these proceedings in the fresh suit filed against the same defendants.
4. All applications stand disposed of.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 17, 2025/mt