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

+ **CS(COMM) 1286/2025**

WELLVERSED HEALTH PRIVATE LIMITEDPlaintiff

Through: Mr. Kunal Khanna, Mr. Madhav Anand, Mr. Krtin Bhasin, Mr. Yashveer Singh, Mr. Udit Sharma, Mr. Kaulik Mitra, Ms. Priyanshi Gupta and Mr. Param Goel, Advocates

versus

AMAN KUMAR TRADING AS WELLVAS HEALTHCARE

.....Defendant

Through: Mr. Ateev Mathur and Mr. Amol Sharma, Advs. with Defendant in person

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **03.12.2025**

CS(COMM) 1286/2025 and I.A. 30191-92/2025

1. The present suit has been filed for permanent/perpetual injunction, infringement of trademark, passing off and other ancillary reliefs against the Defendant.
2. The Plaintiff is engaged in the business of manufacturing and selling a wide range of nutritional supplements for health and wellness purposes under its house mark 'WELLVERSED' which was adopted in the year 2016. In addition, the Plaintiff adopted the trade mark 'WELLCORE' in the year 2017 in relation to one of its specific product lines. The trademarks



‘WELLVERSED’ and ‘WELLCORE’ are the subject marks of the present suit. Details of the trademark applications and registrations is provided at paragraph ‘6’ of the plaint.

3. The Defendant is engaged in the business of manufacturing, marketing, distributing and selling health and wellness supplements bearing the mark ‘WELLVAS’ and ‘WELLCORE – 360’.

4. Learned counsel for the Plaintiff states that an advance copy of the paperbook was served on the Defendant and in response thereto Plaintiff has received an e-mail dated 01.12.2025 from the Defendant conceding to the reliefs prayed for in the plaint and agreeing to surrender the impugned mark ‘WELLVAS’ and ‘WELLCORE 360’.

5. Mr. Aman Kumar is present in Court and is accompanied with Mr. Satyam. He confirms having issued the e-mail dated 01.12.2025 and expresses his willingness to have the suit proceedings disposed of. He however, states that Defendant is a first-time infringer and is willing to stop using the impugned marks, transfer the domain name www.wellvas.com and withdraw the trademark application bearing no. 7311608. He states that he already has some stock and has pre-ordered additional stock and seeks liberty to dispose of this stock.

6. In the aforesaid facts, since Defendant was not represented by a counsel, this Court deemed it appropriate to request Mr. Ateev Mathur, Advocate who was present in Court to represent the Defendant on a pro bono basis and assist the Defendant to bring his submission on record by way of an affidavit.

7. Defendant has with the assistance of Mr. Ateev Mathur, Advocate e-filed affidavit dated 03.12.2025 vide e- diary no. 8737678 placing all facts



on record with respect to its business operations as well as the inventory of the stock.

8. Learned counsel for the Plaintiff states that he has been served with a copy of the affidavit and is satisfied with the terms and conditions set out by the Defendant therein. He states that the suit may be disposed of in terms of the statement made by Defendant in the said affidavit dated 03.12.2025 and on the terms and conditions set out therein.

9. This Court has heard the learned counsel for the parties and perused the contents of the affidavit dated 03.12.2025. The terms and conditions set out in the affidavit satisfy the relief prayed for by the Plaintiff at prayer clauses (a) to (h) of the plaint. The remaining prayers (i) to (k) are not pressed for by the Plaintiff.

10. In view of the no contest between the parties, the suit is decreed in favour of the Plaintiff and against the Defendant on the terms and conditions set out in the affidavit dated 03.12.2025.

11. The Registry is directed to draw up a decree in terms of the order passed today and the affidavit dated 03.12.2025 shall form part of the said decree.

Refund of court fee

12. Learned counsel appearing on behalf of the Plaintiff prays that since the suit has been decreed on the first date of hearing, the Court may consider granting of partial refund of the court fee.

13. Keeping in view of the aforesaid facts, the registry is directed to refund 50% court fee in favour of the Plaintiff within four (4) weeks, in accordance with law. The said direction has been passed having regard to Sections 16 and 16A of the Court Fees Act, 1870.



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

15. This Court records its appreciation for the pro bono services rendered by Mr. Ateev Mathur and Mr. Amol Sharma, Advocate to the defendant herein, which has assisted the Defendant to resolve its disputes in an amicable manner.

16. 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 the order shall be insisted upon by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

DECEMBER 3, 2025/IB