

OIP-4

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
Special Jurisdiction (Contempt)

CC-COM/14/2025

METRAVI INSTRUMENTS PRIVATE LIMITED
VS
DHANBAD LAB INSTRUMENTS INDIA PRIVATE LIMITED AND ORS

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 9th March, 2026

Appearance:
Mr. Rudraman Bhattacharyya, Sr. Adv.
Mr. Harsh Tiwari, Adv.
...for the petitioner

Mr. Sourojit Dasgupta, Adv.
Mr. Sayak Ranjan Ganguly, Adv.
...for the alleged contemnors

The Court:- This is an application alleging violation of an order dated 25th February, 2025. The suit is for passing off. By an order dated 25th February, 2025, this Court had finally disposed of the application for interlocutory reliefs by confirming an order in terms of prayer (a) of the Notice of Motion.

For convenience, prayer (a) of the Notice of Motion is set out hereinbelow:

“a). An order of injunction restraining the Respondents and their men, agents, servants, dealers, distributors and assigns and any other person or entity on their behalf from passing off its inferior quality products bearing the impugned trade mark METERIVA/



by using, manufacturing, selling, offering to sale, advertising, marketing and promoting in electronic media or interactive websites or otherwise dealing in goods bearing the impugned trade mark or consisting of the petitioner's mark METRAVI/  or any other identical or deceptively similar mark in any form whatsoever including as part of their corporate name, or under any other mark in isolation or in conjunction with any other mark which is identical with or deceptively similar to the petitioner's mark, as a part of its corporate or domain name or brand or in any manner whatsoever.”

It is submitted on behalf of the petitioner that notwithstanding the *ad interim* order dated 8th April, 2024 which was subsequently confirmed on 25th

February, 2025, the respondents have willfully and in contumacious violation of the above orders been selling their goods under a deceptively similar name i.e. “METERDI”.

It is pertinent to mention that the impugned mark which had necessitated the filing of the instant suit was “METERIVA” which it is unequivocally admitted by the respondents is no longer being used by them.

It is contended on behalf of the petitioner that the new name “METERDI” is identical and deceptively similar to the name of the petitioner and the same amounts to contempt of the above orders.

The long passage of time during which the respondents have continued using the impugned mark “METERIVA” also amounts to deliberate violation of the above orders.

Significantly, an appeal preferred by the respondents had been dismissed on 23rd May, 2025. It is contended, that the respondents have contumaciously and willfully violated the above order with impunity till August, 2025. This is disputed by the respondents.

In view of the submissions made on behalf of the parties, CC-COM/14/2025 stands disposed of by granting liberty to the petitioner to file a fresh suit, if so advised insofar as the impugned mark “METERDI” is concerned.

With the above directions, CC-COM/14/2025 stands disposed of.

It is made clear that all issues are left open to be decided in the proposed suit to be filed by the petitioner.

(RAVI KRISHAN KAPUR, J.)