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

+ RFA(OS)(COMM) 11/2026 CM APPL. 23821/2026 CM APPL.
27517/2026 CM APPL. 36651/2026

VIKRAM TEA PROCESSOR PRIVATE LIMITEDAppellant
Through: Mr. S.B. Deshpande, Sr. Advocate
with Mr. Sachin Gupta, Mr. Shreyas
Deshpande, Mr. Rajat Jain, Mr. Rohit
Pradhan, Mr. Prashansa and Ms.
Mahima, Advocates

versus

TATA SONS PRIVATE LIMITED & ANR.Respondents
Through: Mr Pravin Anand, Mr Dhruv Anand,
Mr Rohil Bansal and Mr Chirayu
Prahlad, Advocates

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **26.05.2026**

CM APPL. 27517/2026

1. This application is filed with the following prayers: -

“(a) List the instant appeal on any date convenient to this Hon’ble Court which may be on the next working day, i.e., 27th April 2026 or any date thereafter as per the convenience of this Hon’ble Court; and

(b) Pass any other order(s) that this Hon’ble Court may deem fit in favour of the Respondents and against the Appellant.”

2. The application has become infructuous and dismissed as such.

CM APPL. 36651/2026 (Under Order XXIII Rule 3 CPC)

3. This is an application filed under Order XXIII Rule 3 read with



Section 151 of the Code of Civil Procedure, 1908 ('CPC') by the parties and through their advocates with the following prayers:-

“(I) Dispose of RFA (OS) (COMM) No. 11 of 2026 in terms of the present settlement agreement and modify the order dated 25th February 2026 passed by the Ld. Single Judge in CS (COMM) No. 852 of 2024 to the effect that the phrase 'read with paragraph 75 (i) to 75 (iv)' is deleted so that paragraph 5 of the impugned order reads as 'In light of settlement between parties, suit is decreed in terms of settlement'.

(II) Direct trademark registry to alter/amend TM No. 4639662 dated



04.09.2020 for the device mark

in class 30 to



and TM No. 6192475 dated 21.11. 2023 for the device



mark

in class 30 to



as expeditiously

as possible as per law.



- (III) Pass any other order(s) that this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”
4. The application is accompanied by the affidavit on behalf of the appellant and respondent nos. 1 and 2.
 5. Learned counsel for the parties states that the phrase “read with paragraph 75 (i), (ii), (iii) and (iv) of the plaint” recorded at paragraph 5 of the impugned order dated 25.02.2026 has been agreed to be deleted.
 6. In addition, it is stated that the appellant has agreed to file an appropriate application before the Trademarks Registry, Mumbai for seeking alteration/amendment of its trademark registrations nos. 4639662 and 6192475 in the manner set out at paragraph 6(iii) of this application.
 7. Learned counsel for the parties states that the parties shall be bound by the settlement entered by them in terms of this application filed under Order XXIII Rule 3 CPC.
 8. If that be so, the stand of the parties as reflected in the application including the prayer clause is taken on record. The words “read with paragraph 75 (i), (ii), (iii) and (iv) of the plaint” recorded at paragraph 5 of the impugned order dated 25.02.2026 are directed to be deleted. The parties are bound down to the terms of the settlement as set out in paragraph 6 of this application.
 9. The registry shall frame a modified decree in terms of this order, which is being passed in view of the application filed under Order XXIII Rule 3 read with Section 151 CPC pursuant to the settlement entered into the parties.
 10. In view of the paragraph 6(iii), the counsel for the appellant submits that the appellant shall apply to the Trademark Registry, Mumbai for altering/amending the TM No. 4639662, TM No. 6192475 as depicted in the



prayer clause (ii) of the application. The Registrar is directed to decide the said applications expeditiously, albeit in accordance with law.

11. The application is disposed of.

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12. The appeal is allowed in terms of the aforesaid order. Pending applications are disposed of.

13. Future dates, if any, stands cancelled.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

MAY 26, 2026/rhc