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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 407/2026 & I.As. 10589/2026, 10590/2026, 10593/2026**
GLAXOSMITHKLINE PHARMACEUTICALS LIMITED

.....Plaintiff

Through: Mr. Urfee Roomi, Ms. Janaki Arun,
Ms. Anuja Chaudhury and Ms. Angela Arora,
Advocates.

versus

TURIO PHARMACEUTICALS PRIVATE LIMITEDDefendant
Through: Mr. Suresh Chaluvadi, Director of
Defendant Company through VC.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
21.04.2026

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I.A. 10592/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

I.A. 10591/2026 (for pre-institution mediation)

3. This application is filed on behalf of the Plaintiff under Section 12-A of the Commercial Courts Act, 2015 seeking exemption from Pre-Institution Mediation.
4. Having regard to the facts of the present case wherein urgent relief is prayed for and in light of the judgment of Supreme Court in *Yamini Manohar v. T.K.D. Keerthi*, (2024) 5 SCC 815, as also Division Bench of this Court in *Chandra Kishore Chaurasia v. RA Perfumery Works Private*



Ltd., 2022 SCC OnLine Del 3529, exemption is granted to the Plaintiff from Pre-Institution Mediation.

5. Application is allowed and disposed of.

CS(COMM) 407/2026

6. Let plaint be registered as a suit.

7. Issue summons.

8. Mr. Suresh Chaluvadi, one of the Directors of the Defendant Company has joined Court proceedings virtually upon receipt of advance copy of the suit and accepts summons.

9. This suit is instituted on behalf of the Plaintiff *inter alia* seeking a decree of permanent injunction restraining the Defendant and all others acting on its behalf from manufacturing, offering for sale, selling, displaying, advertising, marketing, whether directly or indirectly, through any mode whatsoever, ointments, skin creams and any other medicinal or pharmaceutical products bearing Defendant's marks and packaging, including the marks TRU-BACT, TU-BACT,



or

any other mark identical/deceptively similar to Plaintiff's T-BACT mark and



packaging, including packaging



10. Mr. Suresh Chaluvadi undertakes that Defendant shall not use the impugned marks and/or any other mark identical/deceptively similar to Plaintiff's registered T-BACT mark and/or packaging relating thereto, in future. The undertaking is taken on record and accepted and needless to state shall bind the Defendant. An affidavit of undertaking in this regard shall be filed by Mr. Suresh Chaluvadi in Court within two weeks from today.

11. Mr. Urfee Roomi, learned counsel for the Plaintiff presses for costs as according to him, Defendant has sold some products bearing the impugned marks and packaging, which infringe the trademark as also copyright of the Plaintiff and which has compelled the Plaintiff to approach this Court. He also seeks a direction to the Defendant to destroy the goods bearing the impugned marks/packaging, lying in its premises in the presence of authorized representative of the Plaintiff.

12. In light of the undertaking given by Mr. Suresh Chaluvadi on behalf of the Defendant, the suit is decreed in terms of paragraph 65(a), (b), (c), (d) and (i) of the plaint. Plaintiff does not press reliefs in paragraph 65(e), (f) and (h). Insofar as prayer 65(g) is concerned, liberty is granted to the Plaintiff to agitate the relief in any other appropriate proceedings.

13. Defendant shall pay a cost of Rs. 30,000/- by way of demand draft in favour of 'Wagging Tales Foundation', Plot No. 218/202/1, Khasra No. 50,



Village Gwal Pahari Gurugram, Haryana, within six weeks from today and proof of deposit of costs will be filed in Court with advance copy to the Plaintiff.

14. Registry is directed to draw up the decree sheet.
15. Suit along with pending applications stands disposed of.

JYOTI SINGH, J

APRIL 21, 2026
S.Sharma