

\$~OS-23

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

+ CS(COMM) 916/2018

MAKE MY TRIP (INDIA) PRIVATE LIMITED Plaintiff

Through Mr.Amit Sibal, Sr.Adv. with
Mr.Mohit Goel, Mr.Sidhant Goel,
Mr.Akshay Ajaykumar,
Mr.Deepankar Mishra, Mr.Ambar
Bhushan and Mr.Saksham Dhingra,
Adv.

versus

HAPPY EASY GO INDIA PRIVATE LIMITED Defendant

Through Mr.Neel Mason, Adv. for D-2 & 3

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

26.02.2021

This hearing is conducted through video conferencing.

IA Nos.1603/2021

1. Learned senior counsel appearing for the plaintiff states that affidavit of service has been filed.
2. On 24.02.2021, the matter was adjourned for today. On 24.02.2021, an order was passed directing contemnors No.2 and 3, namely, Rajesh Kumar Dathik and Neelam Rani to be personally present in court through video conferencing.
3. Today, none has appeared for the contemnors.
4. Issueailable warrants for personal presence of contemnors No.2 and 3, namely, Rajesh Kumar Dathik and Neelam Rani on a surety of Rs.50,000/- each before this court on the next date of hearing.
5. The concerned Police Station will ensure service ofailable warrants

on contemnors No.2 and 3, namely, Rajesh Kumar Dathik and Neelam Rani before the next date of hearing.

6. List on 07.04.2021.

7. I may note that on 30.05.2018, this court had passed the following orders:

“Consequently, till further orders, the defendant no. 1, its partner, directors, shareholders, assigns in business, affiliates, subsidiaries, agents, broadcasters, representatives, advertisers, franchisees, licensees and/or all other persons acting on its behalf are restrained from bidding for, adopting - and using Plaintiff’s MakeMyTrip word Mark, or any deceptive variant thereof, whether with the inclusion of spaces or, other special characters in the trade mark MakeMyTrip, as an Ad Word through the Ad Word Program of Google or any other ad word/key word program in any manner whatsoever.”

8. It is the case of the plaintiff that in terms of the said interim order, defendants/contemnors made a bid and adopted the plaintiff’s MakeMyTrip word mark as an Ad Word/Keyword through the Google Ads program of Google, i.e. defendants No.2 and 3.

9. Accordingly, defendants No.2 and 3 are directed to suspend the advertising account of defendant No.1 on the Google Ads Programme.

JAYANT NATH, J.

FEBRUARY 26, 2021/v