



\$~34

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

+ **CS(COMM) 607/2026**

**SHREE SWAMINARAYAN SARVOPARI SIDDHANT DIGVIJAY
TRUST**Plaintiff

Through: Mr. Sandeep Sethi, Senior Advocate
Ms. Swathi Sukumar, Senior Advocate
alongwith Mr. Kunal Khanna, Mr.
Kaulik Mitra, Mr. Samanyu Bhatnagar,
Mr. Aditya Vats Sharma, Mr. Rishabh
gupta, Mr. Anuj Dhar, Mr. Kalpesh C.
Patel, Mr. Kiran K. Patel, Mr. Vihar H.
Desai, Ms. Shreya Sethi, Ms. Krishna
Gambhir, Ms. Rishika Aggarwal, Mr.
Ritik Raghuvanshi, Mr. Krishna Kumar
Shukla and Mr. Anshu Tulsyan,
Advocates.

versus

SUKHMAY KARAN SATSANG FOUNDATION AND ORS
.....Defendants

Through: Mr. Varun Pathak, Mr. Vishesh Sharma
and Mr. Debditya Saha, Advocates for
D-6.
Ms. Ekta Sharma, Mr. Udit Tewari and
Ms. Surabhi Katare, Advocates for D-
7/YouTube LLC.

**CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

ORDER

%

26.05.2026

I.A. 15245/2026 (Pre-Institution Mediation)

1. This is an application filed by the plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (“CC Act”).
2. As the present matter contemplates urgent interim relief, in light of the



judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of pre-institution Mediation is granted.

3. The application stands disposed of.

I.A. 15246/2026 (Additional Documents)

4. The present application has been filed on behalf of the plaintiff under Order XI Rule 1(4) of the Code of Civil Procedure, 1908 (hereinafter referred to as 'CPC') as applicable to commercial suits under the CC Act seeking leave to place on record additional documents.

5. The plaintiff is permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018 within thirty (30) days.

6. Accordingly, the application stands disposed of.

I.A. 15247/2026 (Exemption)

7. This is an application filed on behalf of the plaintiff under Section 151 of CPC seeking exemption from filing original/certified/translated/clear copies of dim and illegible documents.

8. Exemption allowed, subject to just exceptions. However, original/certified/translated/clear copies documents with proper margins be filed within four weeks with an advance copy to the defendants.

9. The application stands disposed of.

I.A. 15854/2026 (Order VI Rule 17 CPC)

10. Mr. Sandeep Sethi, learned Senior Counsel appearing for the plaintiff states that upon perusal of the plaint, a lacuna was found, in that, the individual names of the trustees of the plaintiff's Trust was not clearly mentioned in this suit. In that regard, an application under Order VI Rule 17 read with Section 151 of the CPC has been filed and handed over to this Court. Learned Senior Counsel also states that alongwith the application, an



amended plaint has also been filed.

11. Since summons have not yet been issued to the defendants, no prejudice shall be caused to any of the defendants in case the application is allowed.

12. Accordingly, for the reasons stated, the said application stands allowed. The amended suit/plaint is taken on record.

13. The plaintiff is also permitted to file amended memo of parties with the correct description of all the defendants within one week.

I.A. 15244/2026 (Order XXXIX Rules 1 & 2, CPC)

14. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of CPC, 1908 seeking *ex-parte ad-interim* injunction against the defendants.

15. Plaintiff is a spiritual, religious and charitable organization registered under the Bombay Public Trusts Act, 1950. Plaintiff claims to be institutionalised in the year 1983 by its founder Gurudev His Divine Holiness Devnandandasji Swami (“HDH Bapji”) for the exclusive propagation of the theological doctrine known as “KARAN SATSANG”. Plaintiff claims to have established extensive goodwill and reputation in India and abroad by establishing temples, spiritual centres, publications, wide publicity and extensive visibility on digital platforms and large scale spiritual activities attended by millions of devotees.

16. It is stated that the by-laws of the plaintiff Trust, which were signed by HDH Bapji and the defendant no.4, the then trustee of plaintiff, expressly vests all related to HDH Bapji’s name, image, teachings, publications, sermons and related materials exclusively in the plaintiff Trust. It is claimed that all literary and audio visual works concerning HDH Bapji were created under the supervision and at the instance of the plaintiff, and therefore, the copyright therein exclusively vests with the plaintiff.



17. The plaintiff claims to be the *bona fide* adopter, prior user and registered proprietor of the mark “KARAN SATSANG” at least since 1977, and formally through the plaintiff Trust since the year 1983. Plaintiff claims to have applied for registration of the said mark across all 45 Classes in the year 2013, and has secured registration in 44 Classes including Classes 16, 35, 41 and 45. On account of the long continuous and exclusive use, the mark “KARAN SATSANG” is stated to have acquired immense goodwill and distinctiveness. In para 13, the details of such registration have been delineated and are reproduced hereunder:

S.No.	Mark	Class	Status	Application No.
1.	KARAN SATSANG	16	Registered	2503980
2.	KARAN SATSANG	35	Registered	2503999
3.	KARAN SATSANG	41	Registered	2504005
4.	KARAN SATSANG	45	Registered	2504009

18. It is stated by the plaintiff that defendant nos.2 to 5 were previously associated with the plaintiff Trust, and defendant no.4 i.e. Sadhu Divya Swarup Das was a former trustee of the plaintiff Trust, while defendant no.5 i.e. Sadhu Utsav Priya Das was associated as a Sadhu. Defendant nos.2 and 3 are stated to be former officials of the plaintiff Trust at Mehesana Centre. Defendant no.4 is stated to have left the plaintiff Trust sometime in the year 2024, and had incorporated defendant no.1 through defendant nos.2 and 3.

19. While the plaintiff has no objection in respect of the formation of defendant no.1, however, alleges that the defendants have unlawfully adopted the plaintiff’s registered mark “KARAN SATSANG” as a dominant part of their corporate name called “SUKHMAY KARAN SATSANG” and have filed multiple trademark applications incorporating the plaintiff’s mark. That



apart, the defendants are alleged to have published and distributed books using HDH Bapji's name, image and sermons and disseminated infringing content across social media platforms.

20. Plaintiff claims that the defendants are (i) infringing the registered mark "KARAN SATSANG" by incorporating the name in not only the corporate name of defendant no.1 but also filing trademark applications in the similar fashion; (ii) falsely claiming that defendant no.1 was also founded by HDH Bapji since defendant no.1 was founded only after HDH Bapji had passed away; and (iii) are using the image, photographs and likeness of HDH Bapji in various publications as also on digital platforms like YouTube, Instagram, and Facebook. Plaintiff alleges that there is apparent misrepresentation by the defendants as to its founder and the use of the image and photographs and likeness of HDH Bapji without any permission, which is a violation of the Copyright vested in plaintiff Trust.

21. In order to substantiate the aforesaid, various documents like the original Trust Deed, executed in the year 1983, alongwith the Deed Of Consent and Undertaking, executed by defendant no.4 and the screenshots of WhatsApp chats, YouTube videos, Instagram links and Facebook pages, have been placed on record. Even the booklet, which is published by the defendant no.1, by the Publisher Sukhmay Prakashan, specifically indicates the founder as HDH Devnandandasji Swamishri (Gurudev Bapji) which is none other than the original founder of plaintiff Trust. Screenshots of WhatsApp chats and some of the infringing links as posted on YouTube and other social media platforms as also the impugned books published by the defendant no.1 are reproduced hereunder:



WHATSAPP CHAT:





"Listen to the kind of false and fabricated stories Sadhu Satyasankalpdas, a Guru of the SMVS organization, tells to establish himself as the best saint of the Swaminarayan sect..."

"Many saints have existed in the Swaminarayan sect, but no saint has ever told such completely false and made-up stories to increase their own glory..."

"Listen to this video carefully... and then you decide what should be done about such hypocrisy and deceit..."


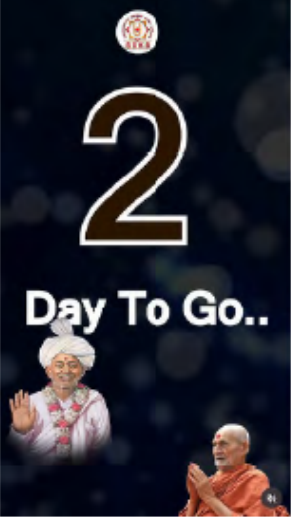


YOUTUBE LINKS:

YOUTUBE VIDEOS	
https://youtu.be/DiF3jZcF2FI?si=9kn1SWwVIMARfy6 2	 <p>જ્ઞાનસભા છતી દેહે અત્યંતિક કલ્યાણ પામવાનો સરળ ઉપાય 370 views • 6 days ago</p>
https://youtu.be/AzgGi5KHrkY?si=b3CG1Le94cK9hLW 5	 <p>જ્ઞાનસભા " સુખ દાયક રે, સ્વામી સહજાનંદ, પ્રગટ પુરુષોત્તમ શ્રી હરિ " 458 views • 13 days ago</p>
https://youtu.be/GY-b-b0m77Y?si=SwUY80b4KyGTvutn	 <p>જ્ઞાનસભા જીવન ધ્યેયની સાચી ઓળખાણ અને તેને પામવાનો ઉપાય. 781 views • 3 weeks ago</p>



INSTAGRAM LINKS:

INSTAGRAM LINK	INSTAGRAM POST
https://www.instagram.com/p/DW0ix8Kkf9v/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA==	
https://www.instagram.com/reel/DVYQrYOkbMo/?utm_source=ig_web_copy_link&igsh=MzRlODBiNWFlZA==	

IMPUGNED BOOKS PUBLISHED BY DEFENDANT NO.1:





GURUDEV P. P. BAPJI NI SANKSHIPT VAATO....
(Gujarati Edition)

Compilation By : Sukhmay Prakashan
Presented By : Swaminarayan Sukhmay Karan Sastang (SSKS)
Founder : HDH Devmandandaji Swamishri (Gurudev Bapji)
Publisher : Sukhmay Prakashan
Shree Swaminarayan Mandir,
Sarbhara, Surat - 395013.
Mo. : 96259 70104 E. : info@ssksurat.org
Edition : First, 13th July 2025
Copies : 5,000
ISBN : 978-81-669931-9-2

રચયુક્તા : શ્વામિનારાયણ સુખમય કારણ સસ્ટંગ (SSKS)
આવરણબદ્ધ : પ.પૂ.ભ.મુ.સદ્.શ્રી દેવમંદાનંદાજી સ્વામીશ્રી
(ગુરુદેવ પ.પૂ.બાપજી)
પ્રકાશક : સુખમય પ્રકાશન (SSKS)
શ્રી શ્વામિનારાયણ મંદિર,
સરભરા, સુરત - ૩૯૫૦૧૩.
મો. : ૯૬૨૫૦ ૭૦૧૦૪
સામૂહિક : પ્રથમ, ૧૩ જુલાઈ, ૨૦૨૫
પૃષ્ઠ : ૫૦૦૦
કિંમત : રૂ. ૨૦/- સેવા મૂલ્ય : રૂ. ૧૦/-

ગુરુદેવ પ.પૂ.બાપજીની સંક્ષિપ્ત વાતો... ૩

પુસ્તક સૌજન્યની સેવા કરનાર પરિવાર માટે પ્રાર્થના

કેવળ અને કેવળ પૂર્ણ પુરુષોત્તમ શ્રી શ્વામિનારાયણ ભગવાન, જીવનપ્રાણ શ્રી અખજીભાઈશી, સમર્થ સદ્ગુરુશ્રીઓ તથા ગુરુદેવ પ.પૂ.બાપજી અને પૂ. રાંતોની પ્રસન્નતાને અર્પે આ પુસ્તક પ્રકાશન કરવામાં સૌજન્ય તરીકે સેવા કરી લાભ લીધો છે ત્યારે આ પરિવાર ઉપર મહાભયુક્ત તથા સર્વે મુક્તો અંતરથી ખુબ ખુબ રાજી થાય અને તન-મન-ધન તથા આત્માની સર્વ પ્રકારે સદાચ તથા વ્યય તથા સર્વ પ્રકારે શુભ અને શાંતિ વધતા રહે તથા સમગ્ર પરિવારમાં સેવા-સત્સંગ અને ભક્તિનો રંગ સદાચ ચડતો ને ચડતો રહે તેવી પ્રાર્થના...

: સૌજન્ય :
પ.ભ.શ્રી કાંતિભાઈ માધવદાસ પટેલ
ગામ : મોટપ, તા. જી. મહેસાણા
શ્રીમતી કિષ્કાબેન કાંતિભાઈ પટેલ
હ.પ.ભ. શ્રી મહેશભાઈ કાંતિભાઈ પટેલ
ઠાણ : સુરત
શ્રીમતી વનિતાબેન મહેશભાઈ પટેલ
પૌત્ર : મેશ મહેશભાઈ પટેલ

22. Predicated on the above, the plaintiff seeks *ex-parte ad-interim* injunction against the defendants.

23. This Court has heard, Mr. Sandeep Sethi and Ms. Swathi Sukumar, learned senior counsel for the plaintiffs and with their assistance, perused the records.

24. The plaintiff has placed on record registrations in multiple Classes of the mark “KARAN SATSANG” and claims to have been using the said mark at least since 1977, and institutionally since 1983 by HDH Bapji. In tune with the by-laws of the plaintiff Trust, the plaintiff claims to have established more than 80 temples and more than 100 spiritual centres in India and ten other countries. The plaintiff claims to have been conducting Satsang Assembly, Pravachan, Kirtan Youth Camps, Bal Sabhas and publication of spiritual literature and dedicated lecture series and discourses under the banner “KARAN SATSANG”.

25. Plaintiff claims that “KARAN SATSANG” denotes the central foundation of the plaintiff Trust and the expression conveys a special theological doctrine and a distinct spiritual path associated exclusively with the plaintiff and is neither generic nor descriptive. Plaintiff has stated that the use of the mark “KARAN SATSANG” as a doctrine has been extensively



disseminated by the plaintiff Trust for the last many decades by way of Spiritual Discourses, Pravachans and various publications and has resulted in immense goodwill and reputation. That apart, the mark “KARAN SATSANG” has garnered secondary meaning and is a source identifier exclusively associated with the plaintiff Trust.

26. It is pertinent to note that defendant no.4 was a trustee of the said Plaintiff Trust when the by-laws were executed. Even the Deed of Consent and undertaking was executed by defendant no.4 on 28.05.2015 which binds the defendant no.1 to the petitioner Trust. Attention was invited to para 6.2 of the by-laws of the Trust to indicate that it was HDH Bapji who was recognized as the original founder of plaintiff Trust. In particular, para 6.9 of the said by-laws was also highlighted to emphasize that the name, appellation, murti, portray, pictorial representation, audio visual publications, teachings, discourses and all related materials concerning the original founder was to remain under the exclusive control of the plaintiff Trust. It was stipulated that no other person shall be permitted to use any of the aforesaid without prior written permission of the plaintiff Trust. It was on that basis that the plaintiff alleges infringement not only of its registered trademark “KARAN SATSANG” but also the image, photographs and likeness of HDH Bapji, which stood clearly vested in the plaintiff Trust by virtue of para 6.9 of the by-laws of the Trust.

27. Having regard to para 6.9 of the by-laws, coupled with other documents, it appears that the use of the image, photograph and likeness of HDH Bapji in WhatsApp messages, YouTube videos, Instagram links, etc. are violative of the registered trademark and the copyrights vested in the plaintiff.

28. Similarly, the use of the image, photograph of HDH Bapji in the publication of the defendant no.1 also *prima facie* appears to be infringement of the registered trademark “KARAN SATSANG” and the copyright. The



publications of the defendant no.1 which have been obtained by the plaintiff Trust in Delhi, and which were furnished for perusal of this Court, also showed trademark violation as the corporate name “Swaminarayan Sukhmay Karan Satsang” incorporates the registered trademark “KARAN SATSANG” of the plaintiff Trust. That apart, the depiction of the founder of defendant no.1 as HDH Devnandandasji Swamishri i.e. HDH Bapji also appears to be a violation of para 6.9 of the by-laws, which conferred exclusive right of usage of the name apart from Murti, Portrait, Pictorial representation of HDH Bapji upon the plaintiff Trust.

29. It has been stated by the plaintiff that HDH Bapji had left his mortal body in the year 2019 while the defendant no.1 was founded and incorporated in the year 2024, and therefore, it could not be believed that HDH Bapji was the founder of defendant no.1. The said submission resonates logic. It was also submitted that this is not the case where the defendants could have asserted *bona fide* adoption for the reason that defendant no.4 was a trustee of the plaintiff Trust and defendant nos.2 and 3 were Sadhu in the plaintiff Trust, and thus, were fully aware of the spiritual doctrine “KARAN SATSANG” conceived and conceptualised by the original founder HDH Bapji in alignment with the Swaminarayan Principles of spirituality. The said submission appeals to the Court at this stage.

30. Having regard to the aforesaid facts and the documents placed on record, evidently, the plaintiff Trust has been establish a *prima facie* strong case in its favour. The balance of convenience is clearly tilted in favour of the plaintiff Trust in view of the registered trademarks in various classes coupled with the overall consideration of the by-laws and other material documents of the plaintiff Trust placed on record. The plaintiff is likely to suffer irreparable loss and injury, which may not be compensated adequately in monetary terms, in case *ex-parte ad-interim* injunction is not granted.



31. Accordingly, the following directions are passed:

- i. Defendant nos.1 to 5, their directors, trustees, office bearers, and all others acting for and on their behalf are restrained from using the mark “KARAN SATSANG” or any deceptively similar mark including “SUKHMAY KARAN SATSANG”, “SWAMINARAYAN SUKHMAY KARAN SATSANG”, “SSKS” and/or any other variant thereof as part of their corporate name, trade name, trademark, domain name, social media handle, publications, advertisements, books, videos, digital content;
- ii. Defendant nos.1 to 5, their directors, trustees, office bearers, and all others acting for and on their behalf are restrained from using, reproducing, publishing, disseminating or exploiting the image, likeness, photographs, voice and name of the founder of the plaintiff HDH Bapji as their Founder without the prior written permission of the plaintiff;
- iii. Defendant nos.1 to 5 are directed to forthwith take down, remove, delete and disable access to all infringing books, videos, social media posts, reels, messages, publications and digital content which are restrained in sub para (i) and (ii) above.

32. Issue notice.

33. Let a reply to this application be filed by the defendants within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

34. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten days from date.

CS(COMM) 607/2026

35. Let the plaint be registered as a suit.

36. Issue summons.



37. Mr. Varun Pathak, learned counsel for the defendants accepts summons and waives issuance of the formal summons to the defendants.

38. The Written Statement shall be filed by the defendants within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendants shall also file Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

39. Liberty is granted to the plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an Affidavit of Admission/Denial of the documents of defendants be filed by the plaintiff, without which the Replication shall not be taken on record.

40. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

41. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

42. List before the Joint Registrar (Judicial) on 10.08.2026 for completion of service and pleadings.

43. List before the Court on 06.11.2026.

TUSHAR RAO GEDELA, J

MAY 26, 2026

Kct/Sumit/rl