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

\# **CNR No. DLHC010504202026**

\+ W.P.(C) 15491/2026 & CM APPL. 72617/2026

EMAMI AGROTECH LIMITED .....Petitioner

Through: Mr. Sandeep Sethi, Senior Advocate with Ms. Smarika Singh, Mr. Saifur Rahman Faridi, Mr.Jasneet Jolly, Ms. Ridhima Bhardwaj, Mr. Krisna Gambhir, Ms. Shreya Sethi and Mr. Ritwik Sharma, Advocates.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Ms. Rupali Bandopadhya, CGSC with Mr. Vanshul Pali, GP, Ms. Nidhi Adarsh, Mr. Amit Peswani, Advocates for UOI.

Mr. Rakesh Chaudhary, Mr.Suransh Chaudhary, Mr. Jay Sharma, Mr. Gulshan Sharma, Ms. Saumya Singh, Advocates for R2 to 4.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

O R D E R

% **15.10.2026**

1. The petitioner is aggrieved by the proposed action taken pursuant to the show cause notice dated 05.06.2026 (**'SCN'**) and the subsequent letter dated 17.07.2026 (**'impugned letter'**), issued by Respondent No. 1.

2. The learned senior counsel for the petitioner submits that the SCN though mentions that the trade name of the petitioner "*Emami*

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Healthy & Tasty" is likely to mislead consumers, however, has failed to mention in what manner mentioning of the words healthy and tasty is misleading. He submits that it is not the case of the respondents that the product of the petitioner is not healthy and tasty.

3. The learned senior counsel for the petitioner submits that pursuant to the SCN, opportunity was given to the petitioner to file reply, which indeed was filed on 23.06.2026. However, the impugned letter dated 17.07.2026, has been issued without adjudicating the same and not giving any reason for finding the product to be not healthy and tasty.

4. He submits that instructions have been given to the State authorities to enforce an action, terming the product of the petitioner as non-compliant of the provisions of the Act.

5. He further submits that mark of the petitioner i.e., *"Emami Healthy & Tasty"* is a registered trademark and no action of such nature as proposed by the respondents can be taken. He submits that actions have been taken in arbitrary manner at the instance of other companies who are selling competitive products.

6. Issue notice.

7. Ms. Rupali Bandopadhya, learned CGSC, accepts notice on behalf of Respondent No. 1.

8. Mr. Rakesh Chaudhary, learned counsel accepts notice on behalf of Respondent Nos. 2 to 4.

9. *Prima facie*, the perusal of the SCN indicates that no reason has been given why the petitioner's referring the term 'Healthy and Tasty' is misleading.

10. Reply, if any, be filed before the next date of hearing.

11. In the meanwhile, the respondents are directed not to take any

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precipitative action. pursuant to the SCN dated 05.06.2026 and the subsequent letter dated 17.07.2026, till the next date of hearing.

12. List on 15.02.2027.

AMIT MAHAJAN, J

OCTOBER 15, 2026
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