IN THE COURT OF DISTRICT JUDGE
(COMMERCIAL COURT)-03, SOUTH DISTRICT,
SAKET COURTS, NEW DELHI

CNR No. DLST01-012497-2026
CS (COMM) 635/2026

IN THE MATTER OF:-

Guruji Ka Ashram Trust
Through its Trustee Mr. Deepak Gupta
P.O. Sawan Public School
Bhati Mines, Mehrauli,
New Delhi - 110074

. . . . . Plaintiff

Versus

1. Sarva Samarpit Awam Samarpan Trust
B-4/54 , Sector – 8, Rohini, Delhi.

2. John Doe/ Ashok Kumar

. . . . . Defendants

ORDER

1. Vide this order, I propose to decide the prayer of *ex-parte ad-interim* injunction as sought by the plaintiff in the application under Order 39 Rule 1 & 2 CPC against the defendants.

2. The relevant facts are that the plaintiff has instituted the present suit against the defendants for permanent and mandatory injunction to restrain infringement of trade mark and copyright, passing off, delivery up, rendition of accounts and damages. The case of the plaintiff, as set up

in the plaint, may be summarized as under:-

2.1 The plaintiff is a Public Charitable Trust formed on 14.05.l999 by the revered **"Guruji"** *(Shri Nirmal Singh Maharaj)* and his mother as the founding trustees by way of a Trust Deed duly registered in the office of the Sub-Registrar-VI, New Delhi. The said Trust was formed for various philanthropic objectives including the management of **"Bade Mandir of Guruji"** situated at Bhatti Mines, Mehrauli, New Delhi.

2.2 After the demise/Mahasamadhi of Guruji in the year 2007, the plaintiff Trust along with nearly 2000 Sangat members, has been involved in running the day-to-day activities of the Trust through one of its trustees, namely, Mr. Deepak Gupta; and has carried forward its mission through religious, educational, medical and social welfare activities including Guruji Public School and Mata Surjit Memorial Hospital entirely on a non-profit basis and in strict adherence to Guruji's teachings against commercialization.

2.3 The name **"GURUJI KA ASHRAM"** was coined by the revered Guruji himself and has been used by the plaintiff Trust openly, extensively and continuously since 01.01.1999 in relation to Bade Mandir and its religious, educational and social services, as well as on the revered Guruji's portraits, calendars, stickers, lockets and the website of the Plaintiff Trust distributed amongst and accessed by his devotees.

2.4 The plaintiff trust is also the registered proprietor of the mark "GURUJI KA ASHRAM" in several classes, including under Registration No. 3821140 in Class 45 (religious and social services), Registration No. 3821141 in Class 41 (education related services), Registration No.3 821142 in Class 16 (printed matter such as religious publications, stationery, calendars, posters and stickers) and Registration No. 6120985 in Class 45 (device mark) ***(hereinafter collectively referred to as the registered trade marks of the plaintiff).***

2.5 The plaintiff trust is also copyright owner of original artistic work in 120 photographs of Gurui captured by the renowned photographer and photojournalist Mr. Raghu Rai during the year from 1997 to 2007, which have become synonymous with Guruji's persona and are revered as **"Swaroops of Guruji"** by his devotees, by virtue of Copyright Assignment Agreement dated 13.02.2024, registered on 16.02.2024. The said Assigned works/ **"Swaroops"** form integral part of get-up adopted by the plaintiff at Bade Mandir and on the calendars, portraits and other material issued by the plaintiff trust.

2.6 Through sustained charitable efforts, the plaintiff trust over the decades has acquired immense goodwill, reputation and recognition among million of devotees in the religious, educational and social services rendered by it who exclusively associate the name, legacy, persona,

photographs (Swaroops) and charitable mission of Guruji with the plaintiff trust and its activities.

2.7 As regards the defendants, it is stated that the defendant no.1 is an establishment/mandir being run, managed and operated as a "Satsang House" at Rohini, Delhi and the defendant no. 2, who has been impleaded following the “John Doe Principle", represents the persons managing and controlling its affairs, whose identities are presently unknown.

2.8 The plaintiff trust learnt through devotees of Guruji that defendant no. 1 through defendant no. 2 has been persistently and deliberately presenting itself as being under and associated with "Nirmal Maharaj Bade Guruji" and the Plaintiff Trust by prominently and deliberately displaying photographs of Guruji alongside other deities, at the central front of the premises of the defendant No.1. The photographs of Guruji so displayed by the defendants are either identical or modified reproductions of photographs forming part of the Assigned Works of the plaintiff. The placement of Guruji's image and persona in such manner is a malafide act of the defendants to create an impression in the minds of the public and devotees that defendant No.1, is officially connected with or sanctioned by the plaintiff trust, whereas the plaintiff trust has no connection, affiliation or association whatsoever with the defendant no. 1. The defendants are also using the

Registered Marks of the plaintiff including *"Guruji ka Ashram*" and/or other marks identical with or deceptively similar thereto at and in relation to defendant No. 1.

2.9 The plaintiff trust has never authorized defendant no. 1 to use the name, image, photograph or teachings of Guruji nor has it appointed defendant No. 1 as a centre, branch, representative or affiliate in any capacity whatsoever. The plaintiff trust has also not granted any licence or permission to the defendants to use its Registered Marks, or any license under Section 30 of the Act or otherwise to reproduce, exhibit or communicate to the public any of the Assigned Works.

2.10 It has also come to the knowledge of the plaintiff trust that defendant No. 1 is being operated as a commercial enterprise, including by accepting donations in the name of Guruji with payments being made via QR codes placed on donation boxes situated in front of Guruji's idol/photograph.

2.11 The plaintiff trust also came to the knowledge that the defendants, by using Guruji's name and image without authorization are running a monthly "investment committee" scheme for their members requiring monthly installments of Rs. 1,00,000/- for a period of 20 months. The said scheme is being presented to devotees as a sacred opportunity to contribute to a cause associated with the Plaintiff Trust and Guruji, which in fact, is designed to

enrich the defendants at the expense of the faith and finances of devotees.

2.12 The defendants are also operating an Instagram account under the username "guruji_satsang_house" and the display name "Guruji Satsang House Rohini Sector 08". The said Instagram page of the defendants contains various videos and photographs of the premises of Defendant No.1, including the photographs of Guruji displayed at the said premises and is being used to promote the activities of Defendant No. 1 as being associated with Guruji and the Plaintiff Trust and to solicit donations and contributions from devotees.

2.13 This misrepresentation is being carried out openly and continuously by the defendants with a clear intention of misleading the public and devotees of Guruji into believing that defendant No.1 is authorized by the Plaintiff Trust; and these acts of the defendants constitute infringement of the Registered Marks and copyright of the plaintiff trust in the Assigned works and passing off. Hence, the present suit.

3. On these grounds, the plaintiff by way of application under Order 39 Rule 1 & 2 CPC has sought *ex-parte ad interim injunction* thereby restraining the defendants, their proprietors, trustees, partners, managers, servants, agents, representatives and all persons claiming through or under them from (i) using the Registered Marks "GURUJI KA

ASHRAM" or any other mark identical with or deceptively similar thereto, in relation to any goods or services including at the premises of defendant no. 1 and on the Instagram Page thereby infringing the Registered marks of the plaintiff trust; (ii) from reproducing, printing, publishing, displaying, exhibiting, communicating to the public or otherwise using the Assigned Works or any of them or any substantial part thereof, in any form or medium whatsoever, thereby infringing the copyright of the plaintiff Trust therein; (iii) from soliciting or collecting donations, subscriptions or installments, including under the monthly investment committee scheme on the representation that the same are for or associated with the plaintiff Trust or Bade Mandir.

4. I have heard the Ld. Counsel for the plaintiff and perused the record carefully.

5. The grant of interlocutory injunction during pendency of legal proceedings is the matter requiring exercise of discretion of the Court. While applying the discretion, the Court applies the following test :-

i. Whether the plaintiff has a prima facie case;

ii. Whether the plaintiff has a balance of convenience in his favour; and

iii. Whether the plaintiff would suffer irreparable loss or injury in case injunction is refused.

6. The plaintiff trust has claimed to be a charitable trust founded by Sh. Nirmal Maharaj, fondly known as "Guruji" in the year 1999 with the object and purpose of charity for the general public duly registered with the Sub Registrar, New Delhi. In support thereof, the plaintiff has placed on record the copy of registered Trust Deed dated 14.05.1999, copy of registered Trust (Amendment) Deed dated 11.01.2007 and printouts from its official website detailing its philanthropic, educational, medical and social welfare activities. The plaintiff has further claimed to be registered proprietor of the mark "GURUJI KA ASHRAM", under several classes, which name was coined by the Guruji himself. In this regard, the plaintiff has placed on record copies of the Registration Certificates along with their latest status report, which, *prima facie,* show the mark "GURUJI KA ASHRAM" is registered in favour of the plaintiff under Registration No. 3821140 in Class 45 (religious and social services), Registration No. 3821141 in Class 41 (education related services), Registration No.3821142 in Class 16 (printed matter such as religious publications, stationery, calendars, posters and stickers) as word mark and the mark



is registered in favour of the plaintiff as a device mark under TM Registration No. 6120985 in Class 45 and the same are subsisting in favour of the plaintiff as on date. The plaintiff has also placed on record the copy of Copyright Assignment Agreement executed by Mr. Raghu Rai, renowned photographer and photojournalist in favour of the plaintiff, thereby assigning all the rights, title and interest including copyright in 120 photographs of Guruji annexed as Annexure-A to the Assignment Agreement (the Assigned Works), photographed by him during the lifetime of Guru Ji in favour of the plaintiff. As such, *prima facie,* it is shown that the plaintiff is copyright owner of the artistic work involved in 120 photographs of Guruji as shown in Annexure A to the Copyright Assignment Agreement which as per the plaintiff are revered as **"Swaroop"** of Guriji by his devotees.

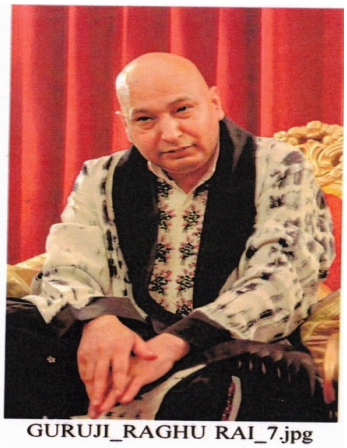
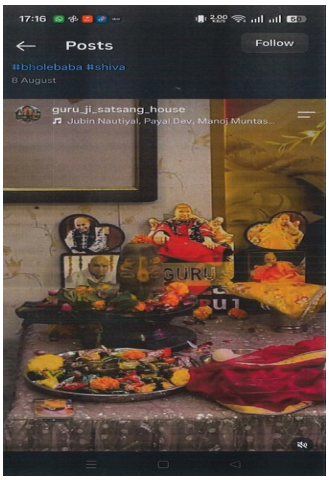
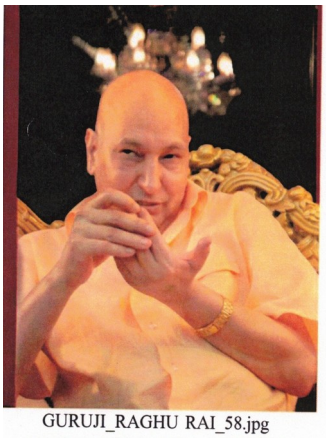
7. The Ld. Counsel for the plaintiff has submitted that plaintiff trust started commencing use of name "GURUJI KA ASHRAM" coined by Guruji himself from 01.01.1999 in relation to Bade Mandir and its religious, education and social services. He further submitted that being completely against any commercial or monetary exploitation of his name, image, legacy and persona, the revered Guruji established the Plaintiff Trust himself during his lifetime so that his name, image, teachings and philosophy were in no manner to be commercialized or used for financial or personal gain by anyone. He further submitted that after Mahasamadhi of

Gurui in the year 2007, the plaintiff trust has continued to manage Bade Mandir and to carry forward the charitable mission of Guruji and over the years has acquired substantial and exclusive goodwill amongst million of devotees. He further submitted that on 29.10.2026, the plaintiff trust came to know about the illegal misrepresentation of photographs of Guruji by the defendant no. 1 which is an establishment/mandir being run by defendant no. 2 whose identity is presently not known and has been impleaded on "John Dey principle" for commercial purposes without any authorization from the plaintiff . He vehemently submitted that the defendants are collecting donations in the name of Guruji through QR codes placed on donation boxes before his photographs and also are running a monthly "investment committee" scheme requiring installment of Rs. 1,00,00,0/- per month by presenting to the devotees as cause associated with the plaintiff trust. He further submitted that the defendants also operate Instagram page *"guru_ji-satsang_house"* to promote defendant no. 1 as associated with Guruji and the plaintiff Trust and to solicit donations from devotees; and this misrepresentation is being carried out openly and continuously with the clear intention of misleading the public and devotees of Guruji into believing that defendant no. 1 is authorized by the plaintiff trust to do so; and these acts of the defendants constitute infringement of the registered marks of the plaintiff and infringement of copyright of the plaintiff in the Assigned Works as well as

passing off. He has relied upon the Affidavit of one devotee namely, Mr. Ankit Mendiratta, in which he claims to have visited the temple of defendant no. 1 where he noticed that a QR code has been placed for seeking donations. He further submitted that these acts of the defendants are causing grave and irreparable injury to the goodwill and reputation of the plaintiff trust which is being associated with the fraudulent conduct of the defendants and, therefore, the defendants are liable to be injuncted immediately.

8. During course of the arguments, the Ld. Counsel for the plaintiff also invited the attention of the Court to the printout of the digital photographs of the premises of defendant no. 1 showing the prominent display of reproductions of Gurui's photographs/Swaroops, printout of digital photographs/screenshots of the QR codes and linked UPI IDs placed on donation boxes at the premises of the defendant no. 1 and screenshots of videos and reels on Instagram page *"guru_ji-satsang_house"* being operated by the defendants showing copyrighted material being displayed.

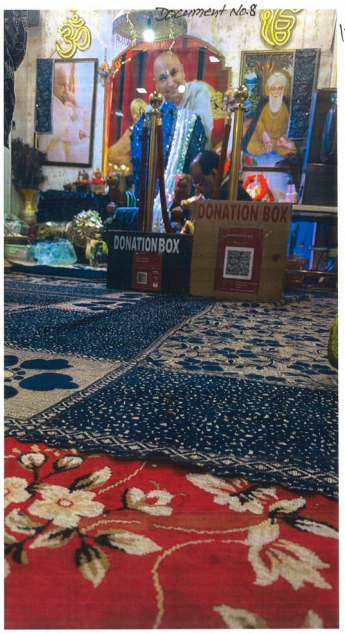
9. At this juncture, it would be apposite to reproduce the relevant photographs of Guruji, which as per the plaintiff are revered as "Swaroop" of Guruji and wherein the plaintiff holds copyright and the reproduction of the photographs of Guruji used by the defendants for commercial purposes.

Photographs/ (Swaroops of Guruji) as per the plaintiff	Photograph of Guruji used by the defendants
 GURUJI_RAGHU RAI_7.jpg	
 GURUJI_RAGHU RAI_58.jpg	



GURUJI_RAGHU RAI_SO.jpg

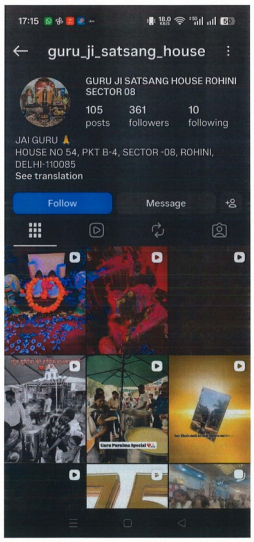




Instagram page of the defendants

Document No.9

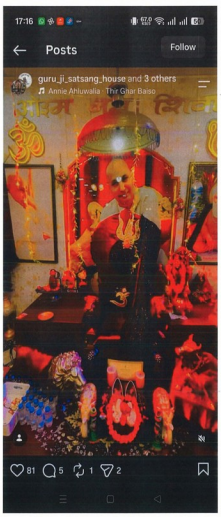
159



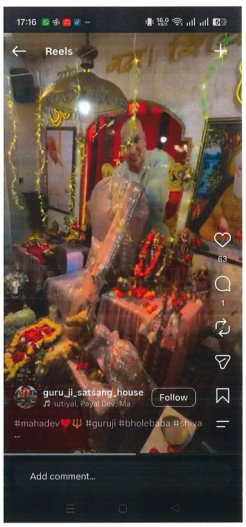
160



163



164



10. A perusal of the photographs of Guruji used by both the parties as portrayed in preceding paragraph shows that the defendants have reproduced the photographs of Guruji and prominently showing the same at the premises of the defendant no. 1 as well as on their Instragram page, which form part of the

Assigned Works/Swaroops of Guruji, wherein the plaintiff holds copyright vide Copyright Assignment Agreement dated 13.02.2024. The photographs so used by the defendants at the premises of defendant no. 1 and on Instagram page are also identical with or deceptively similar to the registered device mark of the plaintiff.

11. The digital photographs/screenshots of QR codes and liked UPI IDs placed on record by the plaintiff further, *prima facie,* shows that the defendants are soliciting or collecting donations in the name of Guruji through QR codes placed on donation boxes before his photographs for commercial gain.

12. In view of the same, since the plaintiff and the defendants are rendering identical services, there is every likelihood of confusion and deception among the public/ devotees regarding the source and origin of the services rendered by the defendants and the activities of defendants may be associated with Guruji and the Plaintiff Trust.

13. In view of the aforesaid discussions, this Court is of the opinion that a *prima facie* case of infringement of trademark, copyright and passing off is made out in favour of the plaintiff and against the defendants. Balance of convenience also lies in favour of the plaintiff and if ad-interim injunction is not granted in favour of the plaintiff, it will suffer irreparable loss and injury in terms of goodwill and reputation.

14. For the forgoing reasons and till further orders, the defendants and all others acting for and on their behalf are restrained from (i) using the Registered Mark of the plaintiff "GURUJI KA ASHRAM" or any other mark identical with or deceptively similar thereto, in relation to any goods or services including at the premises of defendant no. 1 and on the Instagram Page thereby infringing the Registered mark of the plaintiff trust; (ii) from reproducing, printing, publishing, displaying, exhibiting, communicating to the public or otherwise using the Assigned Works or any of them or any substantial part thereof, in any form or medium whatsoever, thereby infringing the copyright of the plaintiff Trust therein; and (iii) from soliciting or collecting donations, subscriptions or installments, including under the monthly investment committee scheme on the representation that the same are for or associated with the plaintiff Trust or Bade Mandir and passing off their services as that of the plaintiff.

15. The plaintiff shall comply with the provisions of Order 39 Rule 3 CPC.

16. Nothing stated herein shall tantamount to my expressions on merits of the case.

BALWANT RAI BANSAL

Digitally signed by BALWANT RAI BANSAL
Date: 2026.11.26 16:57:42 +0530

Announced in the open court
on 26th November, 2026. **(Balwant Rai Bansal)**
District Judge (Commercial Court)-03
South District, Saket Court, New Delhi