

\$~176

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

+ W.P.(C) 6144/2019 & CM No. 26436/2019

KANISHK SINHA & ANR

..... Petitioners

Through: Petitioner in person.

versus

THE STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Mr Ramesh Singh, Standing Counsel,
GNCTD (Civil) and Ms Prabhsahay
Kaur, Advocates for GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

29.05.2019

1. The petitioners have filed the present petition, *inter alia*, impugning the registrations granted to e-rickshaw companies and brands which, according to the petitioners, are parties to the suit bearing C.S. No.388/2014 pending before the Calcutta High Court.
2. The petitioners claim that they are patent holders in respect of "Fuel Cell System and an Efficient Eco-Friendly Vehicle Mounted With Fuel Cell System". It is the petitioners' case that the said patent has been infringed by various e-rickshaw companies. The petitioners state that they have filed a suit bearing C.S. No.388/2014 before the Calcutta High Court and an injunction has been granted in their favour. The petitioners claim that the grant of registration in favour of e-rickshaw companies by the Government of NCT of Delhi amounts to violation of said injunction issued by the Calcutta High Court.

3. In addition to the above, the petitioner also claims compensation at the rate of ₹2 lakhs per e-rickshaw from the e-rickshaw companies.
4. It is apparent from the above that the petitioners, essentially, seek enforcement of an order stated to have been passed by the Calcutta High Court. Clearly, the present petition is misconceived. This Court is not required to issue a writ of mandamus to enforce orders passed by the Calcutta High Court. The petitioner is at liberty to take appropriate remedies, if any, as available to the petitioner in the private law domain.
5. The petitioners claim for compensation also cannot be entertained in proceedings under Article 226 of the Constitution of India.
6. The petition is, accordingly, dismissed. The pending application also stands disposed of.

MAY 29, 2019
MK

VIBHU BAKHRU, J