

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32901 of 2021

Sunil Rout

.....

Petitioner

Mr.T.K.Mishra, Advocate

- Versus-

Union of India & Ors.

.....

Opposite parties

Mr.P.K.Parhi, ASG.

CORAM:

JUSTICE BISWANATH RATH

ORDER

03.01.2022

Order No.

01

1. Heard the learned counsel appearing for the parties.
2. This writ petition involves the following prayer:

“Under the aforesaid facts and circumstances of the case it is, therefore, prayed that your lordship may kindly be graciously pleased to admit the writ petition, issue rule NISI calling upon the opp. parties as to why the objection pending before the Registrar, Trade Mark i.e. the opp. party no.2 shall not be disposed of within a stipulated period and as to why the petitioner is not entitled to get the Trade Mark Registration Certificate within a stipulated period if the opp. parties fail to show cause or show insufficient cause then the rule NISI be made absolute.

And further be pleased to direct the Registrar, Trade Mark i.e. the opp. party no.2 to dispose of the objection and to issue the Trade Mark Registration Certificate in favour of the petitioner within a stipulated period;

And further be pleased to pass any other appropriate writ/writ(s), direction/direction(s) as would be deem fit and proper;

And for which act of kindness, the petitioner shall as in duty bound ever pray;

3. During course of argument, this Court finds petitioner has already submitted his objection to the issue involved herein vide

Annexure-2. In this situation, through this Court is not inclined to entertain the writ petition, however, observes in the event such an objection is pending for consideration, decision, as appropriate on the same may be taken by the opposite party no.2 by undertaking the exercise within a period of six weeks from the date of communication of certified copy of this order by the petitioner.

4. The writ petition stands disposed of with the observation made hereinabove.

(BISWANATH RATH)
JUDGE

