

09.06.2023
Sl. No.19(DL)
srm

C.O. No. 1713 of 2023

Ismail Dafadar

Versus

**The Registrar of Trade Marks, Trade Mark Registry,
Kolkata & Anr.**

Dr. Siddharta Goswami,
Mr. Shaheb Sadhukhan

...for the Petitioner.

The petitioner seeks a direction upon the Registrar of Trade Marks, Kolkata for expeditious disposal of Proceedings No.500158903 dated December 21, 2022 for cancellation of the impugned Trade Mark Application No.5668646.

It is submitted that service of the rectification application has been effected on the opposite parties. From the records, it appears that the application has been pending since December, 2022 and it is submitted that the matter was not enlisted even on one occasion. Learned Advocate submits that the Registrar has the trappings of the civil court and this court can direct expeditious disposal of the said application.

This Court is of the view that the pending application should be disposed of expeditiously, upon granting an opportunity to the opposite parties to file an objection to the said application.

Under such circumstances, the said matter shall not be kept pending beyond the period of four months from the date of communication of this order.

This Court has not gone into the merits of the application filed before the Registrar of Trade Marks and the said authority shall continue with the proceedings independently.

The petitioner is directed to serve a copy of the revisional application along with a server copy of this order upon the opposite parties within a week from date.

Accordingly, the revisional application is disposed of.

There will be, however, no order as to costs.

The learned court below shall proceed on the basis of the service copy of this order.

(Shampa Sarkar, J.)