

D/L 33
25.11.2024
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 22820 of 2024

Ariana Communications OPC Private Limited & Ors.
Vs.
Trade Marks Registry & Ors.

Mr. Arindam Das

... Petitioner no. 2 appearing in-person and representing the petitioner no. 1.

Ms. Kalpana Das

... Petitioner no.3 appearing in-person.

Mr. Sunil Kr. Singhania

...for the Respondent nos. 1 & 2.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners' trademark could not be renewed as the application for renewal was filed at a belated date and the prescribed fee was not paid within the stipulated time. The petitioner prays for exemption of the surcharge and the exemption of the charges for restoration of the trademark.
3. From the communication by the ministry to the petitioners dated 5th October, 2024 it appears that the petitioners were intimated that there is no provision for exemption of surcharge on account of late payment and a sum of Rs. 5,000/- is to be paid for renewal/restoration of the trademark.
4. The petitioners submit that their bank account and phone number linked with the bank has been blocked because of which the payment could not be made on time.
5. The instant writ petition is disposed of by granting leave to the petitioners to apply afresh upon compliance of all the necessary formalities for grant of trademark, in accordance with the prescribed regulations.
6. The writ petition stands disposed of.

7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)