



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**FIRST APPEAL NO. 1032 OF 2009**

**(M/s. Shakti Traders Vs. M/s. Shakti Press Ltd.)**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Shri A.M. Adtani, Counsel for the appellant.

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**CORAM : ANIL L. PANSARE, J.**  
**MARCH 7, 2024.**

On previous date, the following order was  
passed :

*“The learned Counsel for the Appellant submits that the Intellectual Property Appellate Court, vide order dated 3/2/2012, has directed the Registrar of Trademarks to cancel the trademark registered under No.1038628 in Clause – 16 which is the number of the present Respondent.*

*2. The learned Counsel submits that despite cancellation of trademark, the Respondent – Company has continued to use the trademark, and therefore, seeks time to take instructions whether to withdraw the present Appeal and file separate proceedings or to amend the Appeal Memo.*

*3. Stand over to 7th March, 2024.”*

2] In view of above, the learned Counsel for the appellant has filed a pursis seeking permission to withdraw the appeal with liberty to file suit for compensation along with past and future damages for egregious misuse of Trademark. The said pursis is taken on record.

3] Permission is granted.

4]           The appeal is disposed of as withdrawn with liberty as prayed for.

**(ANIL L. PANSARE, J.)**

Sumit