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C.M.P.No.14469 of 2024
in L.P.A.SR.No.48162 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P. DHANABAL

C.M.P.No.14469 of 2024
in L.P.A.SR.No.48162 of 2024

M/s.Shambunath & Bros.
A registered partnership firm
having its principal place of business at
47, Biplabi Anukul,
Chandra Street, Kolkata – 700 072.

... Petitioner

Vs.

1.Jai Rajendra Impex Pvt. Ltd.,
A company incorporated under the Companies Act, 1956,
having its registered office at
Plot No.60, CIE, Gandhinagar,
IDA, Hyderabad – 500 037,
Andhra Pradesh.

2.The Deputy Registrar,
Trademarks Registry, Chennai,
Intellectual Property Rights Building,
Industrial Estate SIDCO RMD,
Godown Area, G.S.T. Road,



C.M.P.No.14469 of 2024
in L.P.A.SR.No.48162 of 2024

Guindy, Chennai – 600 032.

... Respondents

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Prayer in C.M.P.No.14469 of 2024 : Civil Miscellaneous Petition filed under Section 5 of Limitation Act to condone the delay of 22 days in filing the Letters Patent Appeal in L.P.A.SR.No.48162 of 2024 against the judgment dated 07.02.2024 passed in (T) OP (TM) No.20 of 2023 (ORA/137/2011/TM/CHN).

Prayer in L.P.A.SR.No.48162 of 2024 : Letters Patent Appeal filed under Clause 15 of the Letters Patent against the judgment dated 07.02.2024 passed in (T) OP (TM) No.20 of 2023 (ORA/137/2011/TM/CHN).

For Petitioner : Mr.Ashok Kumar J. Daga

For R1 : Mr.Hemant Daswani

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This Civil Miscellaneous Petition is filed to condone the delay of 22 days in filing the above Letters Patent Appeal against the judgment dated 07.02.2024 passed in (T) OP (TM) No.20 of 2023 (ORA/137/2011/TM/CHN).



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2.This Court is convinced with the reasons stated in the affidavit filed in support of the petition. Though the contesting respondent has serious objections as to the maintainability of the Appeal, he has no serious objection for condoning the delay. Therefore, subject to the respondent's right to raise his objections on the maintainability of the Appeal, this petition is ordered.

(S.S.S.R., J.) (P.D.B., J.)
05.12.2024

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Internet : Yes



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