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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.A.(COMM.IPD-TM) 77/2022**

**SKODA AUTO A.S. VACLAVA KLEMENTA 869 MLADA
BOLESLAV II, 293 01 MLADA BOLESLAV, CZECH REPUBLIC**

..... Appellant

Through: **Mr. Peeyoosh Kalra and Mr. Suyash
Malhotra, Advocates.**

versus

**KAMAL ANEJA M/S ANEJA MOTORS, 331, PUNJA SHARIF,
KASHMERE GATE, DELHI** Respondent

Through: **Mr. Harish Vaidyanathan Shankar,
CGSC with Mr. Srish Kumar Mishra,
Mr. Alexander Mathai Paikaday and
Mr. Krishnan V., Advocates.**

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
12.01.2024**

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1. The present proceedings arise from order dated 24th June, 2019 (“**Impugned Order**”) passed in respect of Application No. DEL 774672 (“**Application**”) filed by Respondent for the trademark “**SUPERB**”. Through the Impugned Order, Joint Registrar of Trade Marks had dismissed the objections filed by Appellant. However, it transpires that the Respondent-Applicant has withdrawn the trademark application, evident from status displayed on the trade mark registry website (“**WITHDRAWN**”) and also the order dated 06th December, 2023, copy whereof has been handed over across the board and is taken on record. Order dated 06th December, 2023 reads as under:



"ORDER

Proceedings have been taken under Section 21 of the Trade Mark Act, 1999, by the above named opponent to oppose the registration of trade mark applied for by the above named applicant and whereas the applicant has withdrawn the application vide letter dated 28.04.2023 filed by applicant's agent LALJI ADVOCATES.

IT IS HEREBY ORDERED that Application No. 774672 is treated as withdrawn and therefore Opposition No.721101 abates.

No order as to costs."

2. In view of the above, Mr. Kalra states the present petition is now rendered infructuous. He has instructions to withdraw the same.
3. Accordingly, present petition is dismissed as withdrawn.

SANJEEV NARULA, J

JANUARY 12, 2024
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