



\$~8

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

+ **C.O.(COMM.IPD-CR) 791/2022**

SHRI RAM KUMAR

.....Petitioner

Through: None

versus

M/S BHARAT ZARDA FACTORY

.....Respondent

Through: None

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

05.11.2024

%

1. The present petition has been listed before this Court, having been received from the Intellectual Property Appellate Board ("IPAB") consequent upon promulgation of The Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021 and after abolition of the IPAB.

2. Perusal of the order sheets show that the last appearance on behalf of the petitioner was on 16th March, 2023, wherein, it was recorded as follows:

"The counsel for the petitioner states that she is trying to get in touch with the petitioner, who has not been in their touch since sometime.

The petitioner is now directed to file the affidavit regarding the IPAB orders and memorandum of parties at the earliest.

List the matter for further proceedings on 29.05.2023."

3. Subsequently, learned counsel appearing for the petitioner stopped appearing and various Court Notices were issued to the parties, their respective counsels and registered trademark agents. However, despite



diligent efforts, it has not been possible to serve the parties.

4. The order dated 03rd October, 2024, in this regard, reads as under:

“The court notice issued personally to the petitioner has been received back with the report of “left”. As noted on 17.05.2024, similar was the report in respect of his counsel as well.

The court notice of the respondent for 17.05.2024 was also unserved with the report of “insufficient address”.

The registry had already noted that the details of the Registered Trademark-agent of either of the parties are not available on record. In these circumstances, it is not possible to serve either of the parties, though diligent efforts have already been exhausted.

Accordingly list the matter before the Hon'ble Court on 05.11.2024.”

5. Perusal of the aforesaid clearly manifests that the petitioner is no longer interested in pursuing the present matter.

6. Accordingly, the present petition is dismissed in default and for non-prosecution.

MINI PUSHKARNA, J

NOVEMBER 5, 2024/kr