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

+ **C.O. (COMM.IPD-TM) 292/2021**

KBR HOSPITALITY PRIVATE LIMITED Petitioner

Through: None.

versus

GURMEHER ENTERPRISES AND ANR. Respondents

Through: None.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **11.03.2024**

1. On 8th December, 2023, Joint Registrar issued the following directions:

“The court notice of the petitioner was unserved earlier, having been received back with the report of “left” (see: order dated 15.11.2022). The counsel for the petitioner was recorded as served for the hearing dated 25.09.2023. Till date, none has appeared for the petitioner, nor the deficiencies pointed out by the registry have been removed.

The court notice of respondent no.1 has been received back unserved with the report of the “company not found at the given address”.

The respondent no.2 had already been served (see: order dated 15.11.2022).

In the given circumstances, one more effort needs to be made qua the service of the petitioner and respondent no.1, through their registered Trademark agents.

Accordingly issue court notices to the registered trademark agents of the petitioner and respondent no.1 returnable for 08.02.2024.”

2 On the subsequent date, on 8th February, 2024, taking note of report of the Registry, the following observations were made:

“In view of the observations dated 08.12.2023 whereby the petitioner and respondent no. 1 as well as their counsels could not be served, fresh court notices were issued only to the respective Trademark-



agents of the petitioner and respondent no. 1. However the registry has now reported that no details of any of these Trademark-agents are available on record.

In view of the aforesaid facts and circumstances, the presence of the petitioner and respondent no. 1 cannot be procured.

Accordingly be listed before the Hon'ble Court on 11.03.2024 for further directions."

3. In light of the above, all efforts to intimate the Petitioner about the listing of the matter have failed. There are no other contact details available with the Registry to reach out to the parties. Even today, there has been no appearance on behalf of the parties.
4. Thus, in light of the above, the present proceedings are closed and petition is dismissed in default and for non-prosecution.
5. The file be consigned to the record room.

SANJEEV NARULA, J

MARCH 11, 2024

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