



\$~2

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

+ **C.A.(COMM.IPD-TM) 144/2021**

PRISM JOHNSON LIMITED

.....Appellant

Through: None

versus

OSRAM AG AND ANR.

.....Respondents

Through: Mr. Srish Kumar Mishra, Mr.
Alexander Mathai Paikaday and Mr.
Sagar Mehlawat, Advs.
M: 7800932000
Mr. Ishith Arora, Adv. for R-2.
M: 9654451996

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

22.08.2024

%

1. The present appeal has been filed seeking setting aside of the order dated 05th October, 2017, passed by respondent no.1 to restore *Opposition No. 213608* to *Application No. 774532*.
2. It is clearly recorded in the order dated 04th July, 2024, that despite service, none has appeared for the appellant till date, nor the defects initially pointed out by the Registry, have been removed. Order dated 04th July, 2024, reads as under:

“Despite service in the manner recorded in the order dated 23.04.2024, none has appeared for the appellant till date, nor the defects initially pointed out by the registry have been removed. It seems like the appellant is not interested in the present case.

The respondents have already been served. (Refer: order dated 02.11.2023)



List the matter before the Hon'ble Court on 22.08.2024.”

3. Further, this Court notes that in order dated 23rd April, 2024, it is recorded in categorical terms that the Court Notices of the appellant and its counsel have been duly served by ordinary means. Both the appellant and its counsel have been served twice, firstly on 11th January, 2024, and then on 15th February, 2024. Order dated 23rd April, 2024, reads as under:

“The court notice(s) of the appellant and its counsel have been received back served, vide ordinary means. Both of them have been served twice for this hearing. As per office noting, they were served firstly on 11.01.2024 and then on 15.02.2024. The appellant shall now remove the defects initially pointed out by the registry before the next hearing.

The respondents had already been served. (Refer: order dated 02.11.2023).

List the matter for further proceedings on 04.07.2024.”

4. Considering the aforesaid, the appellant does not seem to be interested in prosecuting the present appeal.
5. Accordingly, the present appeal is dismissed in default, and for non-prosecution.

MINI PUSHKARNA, J

AUGUST 22, 2024/kr