

D/L 37
28.04.2025
Bpg.
ct.no.35

W.P.A.7898 of 2025

**Gobinda Lal Das
Versus
Union of India & Ors.**

Mr. Uday Sankar Chattopadhyay
Ms. Sadia Parveen
Ms. Rajashree Tah
Ms. Trisha Rakshit
Ms. Aishwarya Datta
Ms. Bidisha Chakraborty.
...for the petitioner.

Mr. Somnath Ganguli
Ms. Kalpita Paul.
...for the State-respondents.

Mr. Anil Kr. Gupta
Mr. Yogesh Sharma.
...for the Union of India.

Learned advocate for the petitioner is aggrieved by the fact that his trademark is being deceptively used by another person which are of inferior quality and for which his business is suffering. Petitioner complains that the trademark of the petitioner has been registered and in spite of the same, there has been infringement of the trademark. Since the representation of the petitioner was not considered, petitioner has approached this Court.

Mr. Ganguli, learned advocate appearing for the State has submitted a report of the Officer-in-Charge, Vigilance Section, Enforcement Branch,

Kolkata-16. According to the report, repeated reminders were sent to the petitioner but no documents were produced. Last of such information which was sent was on March, 7, 2025.

Mr. Chattopadhyay, learned advocate appearing for the petitioner submits that within 72 hours the petitioner would approach the concerned Officer of Enforcement Branch with all the documents which are in his custody including the registered trademark certificate and also show the fake product to the Enforcement Branch Officer, if not physically possible at least the counters from which the same are sold. If on such enquiry the Enforcement Branch is of the opinion that any offence is made out, they will proceed in accordance with law.

With the aforesaid observations, WPA 7898 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing on behalf of the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)