

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMMERCIAL MISCELLANEOUS PETITION NO. 13 OF 2025

Siyaram Sill Mills Ltd.

...Petitioner

Versus

Rakesh U Oswal And Anr.

...Respondents

Mr. Minesh Andharia a/w Mr. Jay Shah i/b Krishna & Saurastri Associates LLP,
for the Petitioner.

Mr. Santosh Tiwari a/w Mr. Darshit Jain, for Respondent No.1.

CORAM : ARIF S. DOCTOR, J.

DATE : 19th NOVEMBER 2025

P.C.

1. Mr. Andharia, learned counsel appearing on behalf of the Petitioner has tendered a copy of the order dated 10th October 2025, passed by the Delhi High Court in Commercial IP Suit No.539 of 2022. Mr. Andharia points out that the said Commercial IP Suit was filed by the Petitioner herein before the Delhi High Court. He further points out that in the said Suit Respondent No.1 to captioned Miscellaneous Petition has undertaken as follows.

"11. Rakesh U. Oswal/RUO agrees, undertakes and consents to cooperate with SSML in allowing the Comm. Miscellaneous Petition No. 13 of 2025 in respect

of the impugned label  registered under the Trade Marks Act, 1999 under 1348966 in class 25 pending before the Bombay High Court and making the same absolute in terms of prayer clause 30 (a) thereof which reads as follows.

"This Petition be allowed and the entry relating to the mark  registered under Trade Mark No. 1348966 in respect of readymade garments

included in class 25 in the name of Respondent No.1 be wholly expunged, cancelled and/or removed from the Register of Trade Marks by an order of this Hon'ble Court."

2. Mr. Andharia submits that basis this undertaking the present Commercial Miscellaneous Petition would have to be allowed in terms of prayer clause (a), which reads thus:

"(a) The Petition be allowed and the entry relating to the mark



registered under Trade Mark No.1348966 in respect of readymade garment included in class 25 in the name of Respondent No.1 be wholly expunged, cancelled and/or removed from the Register of Trade Marks by an order of this Hon'ble Court;"

3. Mr. Jain, learned counsel appearing on behalf of the Respondent No.1 confirms this position.

4. Hence, the Commercial Miscellaneous Petition is allowed in terms of prayer clause (a), noting the consent of Respondent No.1.

5. The Commercial Miscellaneous Petition is accordingly disposed of.

[ARIF S. DOCTOR, J.]