

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

COMMERCIAL MISCELLANEOUS PETITION NO. 61 OF 2025

Qualyst Transporter Solutions LLC ...Petitioner

Versus

The Assistant Controller Of Patents And Designs ...Respondent

Ms. Nanki Anreja (through V.C.) a/w Mr. Chinmay Page i/b Muralidhar Khadilkar, for the Petitioner.

Mr. Yashodeep Deshmukh a/w Mr. Ashutosh Misra and Ms. Vaidehi Pradeep, for the Respondent.

Mr. Deepak S.Bhalerao, Second Assistant to Court Receiver, present.

CORAM : ARIF S. DOCTOR, J.

DATE : 15th OCTOBER 2025

P.C.

1. Mr. Deshmukh, learned counsel appearing on behalf of the Respondent has very fairly submitted that the impugned order is unsustainable since questions have been raised for the first time in the impugned order to which the Petitioner did not have an opportunity to deal with. This, he accepts would amount to a violation of the principle of natural justice.

2. Hence, the order would have to be set aside and is accordingly set aside. The matter is remanded back for fresh hearing. Let such fresh hearing be concluded within a period of three months from a date of which a copy of this order uploaded, given the fact that sufficient time has already lapsed.

3. Let the matter be considered afresh before the independent controller.
4. In the event, it is not possible for any reason to conclude within three months an application for extension may be made by the plaintiff.

(ARIF S. DOCTOR, J.)