

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

**COMMERCIAL MISCELLANEOUS PETITION NO. 79 OF 2025**

Siyaram Silk Mills Ltd. ...Petitioner

Versus

Rakesh V. Oswal And Anr. ...Respondents

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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.

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**CORAM : ARIF S. DOCTOR, J.**

**DATE : 19<sup>th</sup> NOVEMBER 2025**

**P.C.**

1. Mr. Andharia, learned counsel appearing on behalf of the Petitioner has tendered a copy of the order dated 10<sup>th</sup> 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.

*"(10) Amstead/RVO agrees, undertakes and consents to cooperate with SSML in allowing the Comm. Miscellaneous Petition No. 79 of 2025 in respect of the*

*impugned label*  *bearing no.2192798 in class 25 pending before 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. 2192798 in respect of shirt, t-shirt, trouser,*

*jeans pant 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. 2192798 in respect of short, t-shirt, trouser, jeans pant 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.]