

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

WRIT PETITION NO. 2139 OF 2024

Bajaj Finserv Limited	...Petitioner
Versus	
Union Of India	...Respondent

Mr. Vidit Desai i/b ANM Global, for Petitioner.
Mr. Deepak V. Shukla, for Respondent- UOI.

**CORAM : M.S. Sonak &
Advait M. Sethna, JJ.**

DATED : 10 OCTOBER 2025

Oral Order (Per. M.S. Sonak) :-

1. Heard Mr. Vidit Desai, learned counsel for the petitioner and Mr. Deepak Shukla, appears for the respondent.
2. Rule. The Rule is made returnable immediately at the request of and with the consent of the learned counsel for the parties.
3. The petitioner challenges the communication dated 16th February 2023, issued by the Assistant Registrar of Companies (CRC), Manesar, on the ground that it prejudices the petitioner and was made without granting any opportunity for the petitioner to be heard.
4. The petitioner had objected to the registration of a corporate name containing the word 'FINSERV' in their letter

dated 26th April 2022. By the impugned communication dated 16th February 2023, the Assistant Registrar of Companies firstly informed the petitioner that the Ministry of Corporate Affairs is not involved in granting any marked names (trademark) to the companies. The petitioner cannot have any objection to the impugned communication to this extent.

5. However, the Assistant Registrar of Companies, in the impugned communication dated 16th February 2023, has gone further and observed that the petitioner's claim that they having created a unique/coined word "FINSERV" is not appropriate for at least two reasons set out as (a) and (b) in the impugned communication.

6. The petitioner is aggrieved with this part of the impugned communication dated 16th February 2023.

7. Mr Vidhit Desai, learned counsel for the petitioner, submitted that in the first place, the Assistant Registrar of Companies had no jurisdiction to rule upon whether the petitioner had created a unique/coined word "FINSERV". Secondly, and without prejudice, Mr Desai submitted that such a finding or observations could never have been made without affording the petitioner the opportunity of being heard and placing material in support of its contentions.

8. The latter part of the impugned communication, with which the petitioners are aggrieved, results in civil consequences for the petitioner. This letter is likely to be used before a different court where the petitioners might assert

their alleged claim to the mark or trademark “FINSERV”.

9. Therefore, we believe that the petitioner should have been given an adequate opportunity of being heard, both on the issue of jurisdiction of the Assistant Registrar of Companies and in any event, on the findings/observations in the latter part of the impugned order.

10. Therefore, by keeping all contention of all parties open, we quash the impugned communication dated 16th February 2023 on the ground of failure of natural justice.

11. The Assistant Registrar of Companies must now dispose of the request contained in the petitioner’s letter dated 26th April 2022, in accordance with law and on its own merits, but after affording the petitioner an adequate opportunity of being heard in the matter.

12. The Assistant Registrar of Companies must dispose of the request as expeditiously as possible, and in any event, within three months from the production of an authenticated copy of this order.

13. The Rule is made absolute in the above terms without any order for cost.

14. All concerned are to act on an authenticated copy of this order.

(Advait M. Sethna, J)

(M.S. Sonak, J.)