



W.M.P. No.36895 of 2025 in W.P. No.19734 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.M.P. No.36895 of 2025

in

W.P. No.19734 of 2013

John Distilleries Pvt. Ltd.
(formerly John Distilleries Ltd.)
No.17/1, Pantharapalya
Cumbell Road
Bangalore 560 047

Petitioner

vs.

1. Allied Blenders and Distillers Pvt. Ltd.
having its registered office at:
394-C, Lamington Road
Mumbai 400 004
represented by its constituted Attorney S.K. Basu
2. Intellectual Property Appellate Board
II Floor, Guna Complex
Annexe-I, Anna Salai
Teynampet
Chennai 600 018
3. The Deputy Registrar of Trademarks
Trademarks Registry
IPR Building, GST Road
Guindy
Chennai 600 032

Respondents



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For petitioner Mr. Sanjay Jain, Senior Advocate
for Mr. R. Sathish Kumar

For respondents Mr. P.S. Raman, Senior Advocate
Mr. K. Premchandrar

ORDER

[made by M.SUNDAR, J.]

Under the normal circumstances, a petition for modification will have to be listed before the Bench which made the order which is sought to be modified but in the case on hand, Mr. Sanjay Jain, learned Senior Counsel instructed by Mr. R. Sathish Kumar, learned counsel on record for WMP petitioner, submitted, on instructions, that captioned WMP is being withdrawn and the parties will abide by earlier proceedings dated 22.08.2024 made by a Division Bench to which one of us (M. SUNDAR, J.) was a Member, more particularly, paragraph 7 thereat which reads as follows:

'7. Though it tantamounts to stating the obvious, learned senior counsel before us fairly agreed that the convenience sets will not contain anything post 08.03.2013 (date of impugned order of IPAB communicated to the parties under cover of communication dated 19.03.2013). It was also agreed that the convenience set will not contain any document which was not before IPAB when the impugned order dated 08.03.2013 was made.'



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2. Mr. P.S. Raman, learned Senior Counsel, instructed by Mr.K.Premchandrar, learned counsel on record for respondents, on instructions, agreed.

3. Both sides have made a joint endorsement in the case file and scanned reproduction of the same is as follows:

The Petition is withdrawn
as the parties have agreed
to abide by the order
dated 22.08.2024 and
paragraph 7 thereof.

Counsel for Petitioner
(R. Satish Kumar)
No. 1195/2000

we agree

Prescribed
as 1878/21
Counsel for Petitioner in (19734)
PREMCHANDAR

4. In the light of the consensus, as it becomes a case of withdrawal of the captioned WMP and as there is no legal drill *qua* modification prayer, we permit withdrawal and give a closure to the captioned WMP.



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M. SUNDAR, J.

and

MUMMINENI SUDHEER KUMAR, J.

cad

5. Captioned WMP stands disposed of as withdrawn/closed in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (M.S.K., J.)
10.09.2025

cad

To

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