

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

COMMERCIAL MISCELLANEOUS PETITION NO. 64 OF 2025

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JFE Steel Corporation

...Petitioner

Versus

The Assistant Controller of Patents and Designs

...Respondents

Mr. Muralidhar Khadikar *a/w Chinmay Page, for Petitioner.*

Ms. Leena Patil, *for Respondent*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE: JUNE 8, 2026

ORDER :

1. Having heard the parties for some time, it is evident that the issues involved in the captioned Petition are identically placed with the issues involved in the Commercial Miscellaneous Petition No. 52 of 2025, which came to be disposed of by way of an order dated February 3, 2026, remanding the matter and directing the Controller to examine the Application afresh in accordance with law to pass a reasoned order. Paragraph No. 3 of the said order is reproduced below :-

“3. The principal contention of Learned Counsel for the Petitioner is that the Controller has rejected the Petitioner’s patent application solely on the ground of

non-compliance with Section 10(4) of the Patents Act, 1970, without examining the application on the merits of novelty or inventive step. He submits that the Impugned Order has absolutely no finding that the Petitioner's invention lacks either novelty or inventive step. He thus submitted that in terms of the settled law, the rejection on the sole ground of non-compliance of Section 10(4) of the Patents Act, 1970, is clearly bad in law."

2. In view of the foregoing, considering the parties involved are the same and the issues involved are identical, I see no reason not to take the same view as set out in the order dated February 3, 2026.

3. In these circumstances, the Impugned Order is set aside and the matter is remanded for fresh consideration by the same Controller who is seized of the matter covered by the order dated February 3, 2026 for examining the Application afresh in accordance with law.

4. The Commercial Miscellaneous Petition is accordingly ***disposed of***.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]