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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C)-IPD 6/2026**

COLONEL DHYAN MAYADAS RETIREDPetitioner

Through: Mr. Sudarshan Kumar Bansal and Ms.
Nishtha Kapoor, Advocates.

versus

UNION OF INDIA & ORS.Respondents

Through: Ms. Manisha Agrawal Narain, CGSC
with Ms. Aditi Singh, Government Pleader for R1
and R3.

Ms. Nidhi Raman, CGSC with Mr. Om Ram and
Mr. Arnab Mittal, Advocates for R2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **13.02.2026**

CM 54/2026

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C)-IPD 6/2026 and CM 52-53/2026

3. This writ petition is filed on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India seeking a direction to Respondent No. 3/DRDO to consider patent application No. 201811046513 forwarded by Respondent No. 2/Controller General of Patents, Designs & Trade Marks under Section 35 of The Patents Act, 1970 ('1970 Act') and decide the same in a time bound manner. Further direction is sought to Respondent No. 2 to act on the decision of Respondent No. 3 as and when the same is conveyed.



4. It is the case of the Petitioner that Petitioner is a retired Military Officer, who filed the patent application bearing No. 201811046513 titled '*Ballistic Armour Shield*' for grant of patent on 08.12.2018. On 17.12.2018, Petitioner filed for publication and examination of the said application along with prescribed fees. On 24.12.2018, Respondent No. 2 forwarded the application to Respondent No. 3 for consideration under Sections 35 to 39 of 1970 Act to determine whether the invention was prejudicial to the defence of India.

5. It is further stated in the petition that on 16.09.2019, Respondent No. 3 sent an e-mail to Respondent No. 2 containing the list of applications sent during 2018 and 2019. On 27.09.2019, Respondent No. 2 published Petitioner's application under Section 11A of 1970 Act in Patent Journal No. 39/2019. Thereafter, the application proceeded for examination and on 25.11.2021, the First Examination Report ('FER') was issued by Respondent No. 2 under Section 15 of 1970 Act, wherein objections were raised, to which Petitioner filed its response on 16.05.2022. Significantly, after considering the response, Respondent No. 2 noted that the application was '*in order for grant*'.

6. The grievance of the Petitioner as ventilated in the petition is that Petitioner's patent application is in order for grant of patent since it meets all requisite parameters under 1970 Act, however, there is no further progress owing to the fact that Respondent No. 3 has till date not considered Petitioner's application pending before it, as forwarded by Respondent No. 2 on 24.12.2018, despite passage of nearly seven years.

7. Issue notice.

8. Ms. Manisha Agrawal Narain, learned CGSC accepts notice on behalf



of Respondents No.1 and 3.

9. Ms. Nidhi Raman, learned CGSC accepts notice on behalf of Respondent No.2.

10. Considering the fact that Respondent No. 2 had forwarded Petitioner's patent application bearing No. 201811046513 to Respondent No. 3 for consideration on 24.12.2018 and the same is pending for nearly seven years, this writ petition is disposed of directing Respondent No. 3 to consider the application pending before it and take a decision within eight weeks from today, in accordance with law. The decision will be communicated to Respondent No. 2 within one week from the date of decision, whereafter further steps will be taken by Respondent No. 2, as per the laid down procedure. It is made clear that this Court has not expressed any opinion on the merits of the case.

11. Writ petition stands disposed of along with pending applications.

JYOTI SINGH, J

FEBRUARY 13, 2026/YA