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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **C.O. (COMM.IPD-TM) 50/2026, I.A. 4397/2026 & I.A. 4398/2026**

ITC LIMITED & ANR.

.....Petitioner

Through: Mr. Arvind Nayar, Senior Advocate
with Mr. Sameer Rohatgi, Mr. Debjyoti
Sarkar, Mr. Afzal B. Khan, Mr. Sharad
Besoya and Mr. Akshay Joshi,
Advocates.

versus

A AND H HOSPITALITY & ANR.

.....Respondents

Through: Ms. Allaka M., Ms. Tazeen Ahmed and
Ms. Rasveen Kaur, Advocates for R-1.
Ms. Nidhi Raman, CGSC with Mr. Om
Ram and Ms. Nikita Singh, Advocates
for R-2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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19.02.2026

1. In terms of the order dated 17.02.2026, the affidavit on behalf of the respondent no. 1 (A and H Hospitality) has been tendered by Mr. Adnan Siddiqui.
2. The deponent submits that at the time of applying for a registration of the mark impugned in the present suit, no objection was raised by the Trade Mark Registry and thus the said mark came to be registered by respondent no. 1 on 23.06.2018.
3. He further deposes that the operations under the said trade mark never commenced since then, till date.
4. He further deposes that the impugned mark "BUKHARAH DARBAR" has never been used at any point of time.



5. He further deposes that the respondent no. 1 does not have any present or future intention to use the impugned mark and has no objection to the cancellation or removal of the impugned mark from the Register of Trade Marks.

6. Accordingly, the respondent no. 1, being the proprietor of the given trade mark, undertakes to file an application in accordance of law for voluntary cancellation of the removal of the impugned mark “BUKHARAH DARBAR” from the Register of Trade Marks.

7. The aforesaid affidavit is taken on record.

8. The respondent no. 1 is bound by the averments contained in the said affidavit of Mr. Adnan Siddiqui. Accordingly, the respondent is directed to take appropriate steps within one week from date.

9. The respondent no. 2 is directed to process the said application as and when received within a further period of four weeks thereafter.

10. The photocopy of the affidavit dated 18.02.2026 is taken on record.

11. The learned counsel is requested to ensure that the original affidavit is on record within three days from date.

12. In view of the above, the petition is allowed and is disposed of with all pending applications.

TUSHAR RAO GEDELA, J

FEBRUARY 19, 2026/anj