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

+ **W.P.(C)-IPD 9/2026 & CM 65/2026**

ARUSH SHARMA

.....Petitioner

Through: Mr. Rehan Narula and Mr. Sandeep
Narula, Advocates.

versus

THE REGISTRAR OF TRADE MARKS & ORS.Respondents

Through: Mr. Gaurav Barathi, SPC with Mr.
Debasish Mishra, GP for R-1 and 2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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11.03.2026

1. This is a writ petition under Article 226 of the Constitution of India, 1950, seeking the following prayers:

“a. Issue a Writ of Certiorari or any other appropriate writ, order, or direction quashing and setting aside the impugned order dated 19/02/2026 passed by Respondent No. 2 deeming Trade Mark Application No. 6155807 in Class 11 as Abandoned under Section 21(2) of the Trade Marks Act, 1999;

b. Issue a Writ of Mandamus or any other appropriate writ, order, or direction commanding Respondent No. 1 to forthwith restore the status of Trade Mark Application No. 6155807 in Class 11 from ‘Abandoned’ to ‘Opposed’ and to permit the opposition proceedings to continue in accordance with law;

c. Issue a Writ of Mandamus or any other appropriate writ, order, or direction commanding Respondent No. 1 to expedite the hearing and disposal of the correctly and validly filed Opposition No. 1401069 by Respondent No. 3 against Trade Mark Application No. 6155807 in Class 11, which has been pending since 05/09/2025 and whose legitimate continuation has been jeopardized by reason of the impugned abandonment order, and to ensure that the said opposition proceedings are taken up and adjudicated on merits within a reasonable and fixed time frame without any further delay;

d. Award legal fees of this petition of Rs.50,000 to the petitioner; and

e. Issue a direction, if this Hon'ble Court deems fit, for refund of the court fees paid by the Petitioner in filing this Writ Petition, the Petitioner having been compelled to approach this Hon'ble Court solely on account of the illegal and



arbitrary order of Respondent No. 2, and ought not to be burdened with the costs of litigation occasioned entirely by the default of a public authority

f. Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. On the last date of hearing, the Court had issued notice and requested Mr. Gaurav Barathi, learned CGSC to take instruction as to whether the impugned order needs to be rectified on the basis that there appears to be some apparent error on the face of the record.
3. Mr. Barathi, learned CGSC is under instructions to submit that the error is apparent and would be rectified by the Registrar of Trade Marks.
4. In view of the above, the writ petition is allowed. The order dated 19.02.2026 is set aside.
5. The Trademark application no. 6155807 in Class-11 shall be restored with immediate effect. The opposition proceedings are directed to continue in accordance with law.
6. Mr. Barathi submits that the next date for consideration has been fixed as 25.03.2026 when the petitioner can appear before the Registrar.
7. In view of the fact that a date has already been fixed, it is directed that the petitioner shall appear without any further notice on 23.03.2026 before the Registrar of Trade Marks.
8. The writ petition is disposed of, alongwith pending application with no order as to costs.

TUSHAR RAO GEDELA, J

MARCH 11, 2026

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