



2026:DHC:3642



\$~89

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

% ***Date of Decision: 28.04.2026***

+ **CONT.CAS(C) 739/2026**

M/S GOOD BUY SOAPS AND COSMETICS PVT LTD

.....Petitioner

Through: Mr. Bobby Augusting and Ms. Iram Naaz, Advs.

versus

SHOBHIT GAUR & ORS.

.....Respondents

Through: Ms. Nidhi Raman, CGSC, Mr. Om Ram and Ms. Nikita Singh, Advs. for R-1 and 2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

CM APPL.28325/2026 (Exemption)

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

CM APPL.28326/2026 (seeking condonation of delay in filing petition)

3. This is an application filed by the petitioner seeking delay of 108 days in filing the petition.
4. Considering the averments made in the application, the same is allowed and the delay of 108 days in filing the petition stands condoned.
5. The application stands disposed of.

CONT.CAS(C) 739/2026



2026:DHC:3642



6. The present petition has been filed by the petitioner alleging wilful disobedience of the order dated 22.11.2024, passed in W.P.(C)-IPD 36/2024. The said order reads as under:

“1. The present writ petition has been filed under Article 226 of the Constitution of India seeking direction to the respondents no.1 and 2 to consider and decide the review petition filed on behalf of the petitioner on 22nd December, 2023 and pass appropriate orders.

2. It is stated in the petition that the opposition No. 1063209 filed on behalf of the petitioner against the trademark application No. 4063304 in Class 3 was dismissed by the Trade Mark Registry on 6th December, 2023 as the petitioner failed to appear on the said date.

3. Immediately thereafter, a review petition was filed on 22nd December 2023, which has not been considered till date by the respondents no.1 and 2.

4. Issue notice.

5. Notice is accepted by counsel appearing on behalf of the respondents no. 1 and 2.

6. In view of the limited relief sought in the present petition, need is not felt to issue notice to the respondent no.3, who is a private respondent, as also to direct the respondents no.1 and 2 to file a reply.

7. Counsel for the petitioner has drawn attention of the Court to Section 127(c) of the Trade Marks Act, 1999 read with Rule 119 of the Trade Marks Rules, 2017 to show that the power of review has been vested in the Registrar of Trade Marks. Therefore, once the petitioner has filed a review petition the Registrar of Trade Marks is bound to consider the same.

8. In view of the above, directions are issued to the respondent no.2 to take up the review petition filed on behalf of the petitioner within six (6) weeks from today and decide the same on merits after giving notice to the respondent no.3.



2026:DHC:3642



9. The writ petition along with all the pending applications stand disposed of.”

7. Learned counsel for the petitioner submits that despite the aforesaid order, requisite steps have not been taken by the respondents to decide the review petition of the petitioner.

8. During the course of hearing, Ms. Nidhi Raman, learned Standing Counsel, who appears on advance notice informs that a hearing notice dated 21.04.2026 has been issued, fixing a date of hearing. The hearing is scheduled on 15.05.2026.

9. It is assured and undertaken, on instructions that after completion of the hearing on 15.05.2026, the requisite orders on the review petition of the petitioner shall be passed expeditiously and in any event within a period of six weeks from the date of conclusion of hearing.

10. Taking the said undertaking on record, the present petition stands disposed of.

SACHIN DATTA, J

APRIL 28, 2026/cl