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

+ C.O. (COMM.IPD-TM) 253/2025 & I.A. 25864/2025

SH. ANKIT BATRA PROPRIETOR OF MS KD INDUSTRIES

.....Petitioner

Through: Appearance not given.

versus

RAVINDER KUMAR & ANR.

....Respondents

Through: Mr. Govind Narayan, Mr. Prabhat Goswami, Ms. Sheetal Raghuvanshi and Ms. Priyanshi Kaushik, Advocates. 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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12.03.2026

1. In terms of the order dated 10.02.2026, the respondent no.1 has filed an affidavit of the proprietor of respondent no.1.
2. On a perusal it appears that the same is not on record.
3. Learned counsel for the respondent no.1 has handed over to the Court the original affidavit attested on 18.02.2026, which is taken on record. The affidavit dated 18.02.2026 is reproduced hereunder:

"AFFIDAVIT ON BEHALF OF RESPONDENT NO.1 IN COMPLIANCE OF ORDER DATED 10.02.2026"

I, Ravinder Kumar, S/o Sh. Hari Chand Sharma, aged about 52 years, Resident of H.no.657, Babur Pur Mandi, Panipat, Haryana presently at New Delhi, do hereby solemnly affirm and state as under:

1. *That I am the Respondent No.1 in the present matter and being duly authorized and conversant with the facts and circumstances of the case, I am competent to swear this affidavit.*



2. *That the present affidavit is being filed in compliance of order dated 10.02.2026 passed by this Hon'ble Court, whereby Respondent No.1 was directed to file an affidavit in support of the application dated 19.01.2026 moved before the Registrar of Trade Marks,.*
3. *That the Respondent No.1 has preferred an application dated 19.01.2026 before the Registrar of Trade Marks seeking cancellation of the registration of the trade mark "KEEP DEEP KD MASALE" of its own motion.*
4. *That the said application is accompanied by a covering letter and supporting documents, copies whereof have already been placed on record before this Hon'ble Court and the same may kindly be read as part and parcel of the present affidavit. A copy of the Application dated 19.01.2026 is annexed herewith and marked as **Annexure-R/1**.*
5. *That the averments made in the said application and accompanying documents are true and correct.*
6. *That the present affidavit is being filed bona fide and in the interest of justice, and no material fact has been withheld, concealed, or misstated therefrom. That the deponent undertakes to abide by any further directions that may be passed by this Hon'ble Court in the interest of justice.*
7. *This is my true and correct statement."*

4. Ms. Nikita Singh, learned counsel on behalf of the respondent no.2/Registrar of Trade Marks, has handed over the affidavit dated 12.03.2026 of the Trademark registry and submits that in pursuance of the application seeking cancellation of the Trademark "KEEP DEEP KD MASALE" by the respondent no.1, the Registrar of Trade Marks, by the order dated 12.03.2026 has cancelled the said Trade Mark No.4923053 in Class-05.

5. The affidavit as well as the Trade Mark Registry's website details are taken on record.

6. In view thereof, no further orders are called for in the present petition and the petition is disposed of accordingly alongwith pending applications, if any.

TUSHAR RAO GEDELA, J

MARCH 12, 2026

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